

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 416

Introduced by Fulton, 29; Friend, 10; Hadley, 37; Hansen, 42;
Pahls, 31.

Read first time January 16, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections
2 18-1736, 18-1737, 60-501, 60-1903, 60-1908, and
3 81-2005, Reissue Revised Statutes of Nebraska, and
4 sections 60-163, 60-180, 60-308, 60-366, 60-373,
5 60-376, 60-378, 60-380, 60-383, 60-392, 60-395, 60-396,
6 60-397, 60-398, 60-399, 60-3,100, 60-3,101, 60-3,102,
7 60-3,105, 60-3,106, 60-3,107, 60-3,108, 60-3,109,
8 60-3,113, 60-3,114, 60-3,119, 60-3,120, 60-3,121,
9 60-3,122, 60-3,122.02, 60-3,123, 60-3,124, 60-3,125,
10 60-3,126, 60-3,128, 60-3,130, 60-3,130.01, 60-3,130.02,
11 60-3,130.05, 60-3,134, 60-3,135, 60-3,145, 60-3,146,
12 60-3,147, 60-3,149, 60-3,150, 60-3,151, 60-3,157,
13 60-3,167, 60-3,175, 60-3,183, 60-3,205, 60-653, 60-683,
14 60-6,197.01, 60-1306, 60-1901, 60-1902, and 66-1406.02,

1 Revised Statutes Cumulative Supplement, 2008; to provide
2 for one license plate and In Transit decal per vehicle;
3 to change provisions relating to license plates; to
4 harmonize provisions; to provide an operative date; and
5 to repeal the original sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-1736, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 18-1736 (1) A city or village may designate parking
4 spaces, including access aisles, for the exclusive use of (a)
5 handicapped or disabled persons whose motor vehicles display
6 the distinguishing license ~~plates~~ plate issued to a handicapped
7 or disabled ~~persons~~ person pursuant to section 60-3,113, (b)
8 handicapped or disabled persons whose motor vehicles display a
9 distinguishing license plate issued to a handicapped or disabled
10 person by another state, (c) such other handicapped or disabled
11 persons or temporarily handicapped or disabled persons, as
12 certified by the city or village, whose motor vehicles display
13 the permit specified in section 18-1739, and (d) such other motor
14 vehicles, as certified by the city or village, which display the
15 permit specified in section 18-1739. All such permits shall be
16 displayed by hanging the permit from the motor vehicle's rearview
17 mirror so as to be clearly visible through the front windshield.
18 The permit shall be displayed on the dashboard only when there is
19 no rearview mirror.

20 (2) If a city or village so designates a parking space
21 or access aisle, it shall be indicated by posting aboveground and
22 immediately adjacent to and visible from each space or access aisle
23 a sign as described in section 18-1737. In addition to such sign,
24 the space or access aisle may also be indicated by blue paint on
25 the curb or edge of the paved portion of the street adjacent to the

1 space or access aisle.

2 (3) For purposes of sections 18-1736 to 18-1742, access
3 aisle means a space adjacent to a handicapped parking space
4 or passenger loading zone which is constructed and designed in
5 compliance with the federal Americans with Disabilities Act of 1990
6 and the federal rules and regulations adopted and promulgated in
7 response to the act, as the act and the rules and regulations
8 existed on May 31, 2001.

9 Sec. 2. Section 18-1737, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 18-1737 (1) Any city or village, any state agency, and
12 any person in lawful possession of any offstreet parking facility
13 may designate stalls or spaces, including access aisles, in such
14 facility owned or operated by the city, village, state agency, or
15 person for the exclusive use of handicapped or disabled persons
16 whose motor vehicles display the distinguishing license plates
17 plate issued to such individuals pursuant to section 60-3,113, such
18 other handicapped or disabled persons or temporarily handicapped or
19 disabled persons, as certified by the city or village, whose motor
20 vehicles display the permit specified in section 18-1739, and such
21 other motor vehicles, as certified by the city or village, which
22 display such permit. Such designation shall be made by posting
23 aboveground and immediately adjacent to and visible from each stall
24 or space, including access aisles, a sign which is in conformance
25 with the Manual on Uniform Traffic Control Devices adopted pursuant

1 to section 60-6,118 and the federal Americans with Disabilities
2 Act of 1990 and the federal rules and regulations adopted and
3 promulgated in response to the act, as the act and the rules and
4 regulations existed on May 31, 2001.

5 (2) The owner or person in lawful possession of an
6 offstreet parking facility, after notifying the police or sheriff's
7 department, as the case may be, and any city, village, or
8 state agency providing onstreet parking or owning, operating, or
9 providing an offstreet parking facility may cause the removal, from
10 a stall or space, including access aisles, designated exclusively
11 for handicapped or disabled persons or temporarily handicapped
12 or disabled persons or motor vehicles for the transportation of
13 handicapped or disabled persons or temporarily handicapped or
14 disabled persons, of any vehicle not displaying the proper permit
15 or the distinguishing license ~~plates~~ plate specified in this
16 section if there is posted aboveground and immediately adjacent to
17 and visible from such stall or space, including access aisles, a
18 sign which clearly and conspicuously states the area so designated
19 as a tow-in zone.

20 (3) A person who parks a vehicle in any onstreet parking
21 space or access aisle which has been designated exclusively for
22 handicapped or disabled persons or temporarily handicapped or
23 disabled persons or motor vehicles for the transportation of
24 handicapped or disabled persons or temporarily handicapped or
25 disabled persons, or in any so exclusively designated parking space

1 or access aisle in any offstreet parking facility, without properly
2 displaying the proper permit or when the handicapped or disabled
3 person to whom or for whom, as the case may be, the license plate
4 or permit is issued will not enter or exit the vehicle while it is
5 parked in the designated space or access aisle shall be guilty of
6 a handicapped parking infraction as defined in section 18-1741.01
7 and shall be subject to the penalties and procedures set forth in
8 sections 18-1741.01 to 18-1741.07. The display on a motor vehicle
9 of a distinguishing license plate or permit issued to a handicapped
10 or disabled person by and under the duly constituted authority of
11 another state shall constitute a full and complete defense in any
12 action for a handicapped parking infraction as defined in section
13 18-1741.01. If the identity of the person who parked the vehicle in
14 violation of this section cannot be readily determined, the owner
15 or person in whose name the vehicle is registered shall be held
16 prima facie responsible for such violation and shall be guilty and
17 subject to the penalties and procedures described in this section.
18 In the case of a privately owned offstreet parking facility, a
19 city or village shall not require the owner or person in lawful
20 possession of such facility to inform the city or village of a
21 violation of this section prior to the city or village issuing the
22 violator a handicapped parking infraction citation.

23 (4) For purposes of this section and section 18-1741.01,
24 state agency means any division, department, board, bureau,
25 commission, or agency of the State of Nebraska created by the

1 Constitution of Nebraska or established by act of the Legislature,
2 including the University of Nebraska and the Nebraska state
3 colleges, when the entity owns, leases, controls, or manages
4 property which includes offstreet parking facilities.

5 Sec. 3. Section 60-163, Revised Statutes Cumulative
6 Supplement, 2008, is amended to read:

7 60-163 (1) The department shall check with its records
8 all duplicate certificates of title received from a county clerk
9 or designated county official. If it appears that a certificate
10 of title has been improperly issued, the department shall cancel
11 the same. Upon cancellation of any certificate of title, the
12 department shall notify the county clerk or designated county
13 official who issued the same, and such county clerk or designated
14 county official shall thereupon enter the cancellation upon his
15 or her records. The department shall also notify the person
16 to whom such certificate of title was issued, as well as any
17 lienholders appearing thereon, of the cancellation and shall demand
18 the surrender of such certificate of title, but the cancellation
19 shall not affect the validity of any lien noted thereon. The
20 holder of such certificate of title shall return the same to the
21 department forthwith.

22 (2) If a certificate of registration has been issued to
23 the holder of a certificate of title so canceled, the department
24 shall immediately cancel the same and demand the return of such
25 certificate of registration and license ~~plates or tags~~, plate or

1 tag, and the holder of such certificate of registration and license
2 ~~plates or tags~~ plate or tag shall return the same to the department
3 forthwith.

4 Sec. 4. Section 60-180, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 60-180 (1) A person who operates in this state a vehicle
7 for which a certificate of title is required without having such
8 certificate in accordance with the Motor Vehicle Certificate of
9 Title Act or upon which the certificate of title has been canceled
10 is guilty of a Class III misdemeanor.

11 (2) A person who is a dealer or acting on behalf of a
12 dealer and who acquires, purchases, holds, or displays for sale a
13 new vehicle without having obtained a manufacturer's or importer's
14 certificate or a certificate of title therefor as provided for in
15 the Motor Vehicle Certificate of Title Act is guilty of a Class III
16 misdemeanor.

17 (3) A person who fails to surrender any certificate of
18 title or any certificate of registration or license ~~plates or tags~~
19 plate or tag upon cancellation of the same by the department and
20 notice thereof as prescribed in the Motor Vehicle Certificate of
21 Title Act is guilty of a Class III misdemeanor.

22 (4) A person who fails to surrender the certificate of
23 title to the county clerk or designated county official as provided
24 in section 60-169 in case of the destruction or dismantling or
25 change of a vehicle in such respect that it is not the vehicle

1 described in the certificate of title is guilty of a Class III
2 misdemeanor.

3 (5) A person who purports to sell or transfer a vehicle
4 without delivering to the purchaser or transferee thereof a
5 certificate of title or a manufacturer's or importer's certificate
6 thereto duly assigned to such purchaser as provided in the
7 Motor Vehicle Certificate of Title Act is guilty of a Class
8 III misdemeanor.

9 (6) A person who knowingly alters or defaces a
10 certificate of title or manufacturer's or importer's certificate is
11 guilty of a Class III misdemeanor.

12 (7) Except as otherwise provided in section 60-179, a
13 person who violates any of the other provisions of the Motor
14 Vehicle Certificate of Title Act or any rules or regulations
15 adopted and promulgated pursuant to the act is guilty of a Class
16 III misdemeanor.

17 Sec. 5. Section 60-308, Revised Statutes Cumulative
18 Supplement, 2008, is amended to read:

19 60-308 (1) Apportionable vehicle means any motor vehicle
20 or trailer used or intended for use in two or more member
21 jurisdictions that allocate or proportionally register motor
22 vehicles or trailers and used for the transportation of persons
23 for hire or designed, used, or maintained primarily for the
24 transportation of property.

25 (2) Apportionable vehicle does not include any

1 recreational vehicle, motor vehicle displaying ~~restricted plates,~~
2 a restricted plate, city pickup and delivery vehicle, bus used in
3 the transportation of chartered parties, or government-owned motor
4 vehicle.

5 (3) An apportionable vehicle that is a power unit shall
6 (a) have two axles and a gross vehicle weight or registered
7 gross vehicle weight in excess of twenty-six thousand pounds or
8 eleven thousand seven hundred ninety-three and four hundred one
9 thousandths kilograms, (b) have three or more axles, regardless
10 of weight, or (c) be used in combination when the weight of such
11 combination exceeds twenty-six thousand pounds or eleven thousand
12 seven hundred ninety-three and four hundred one thousandths
13 kilograms gross vehicle weight. Vehicles or combinations of
14 vehicles having a gross vehicle weight of twenty-six thousand
15 pounds or eleven thousand seven hundred ninety-three and four
16 hundred one thousandths kilograms or less and two-axle vehicles
17 and buses used in the transportation of chartered parties may be
18 proportionally registered at the option of the registrant.

19 Sec. 6. Section 60-366, Revised Statutes Cumulative
20 Supplement, 2008, is amended to read:

21 60-366 (1) Any nonresident owner who desires to register
22 a motor vehicle or trailer in this state shall register in the
23 county where the motor vehicle or trailer is domiciled or where the
24 owner conducts a bona fide business.

25 (2) A nonresident owner, except as provided in subsection

1 (3) of this section, owning any motor vehicle or trailer which
2 has been properly registered in the state, country, or other
3 place of which the owner is a resident, and which at all times,
4 when operated or towed in this state, has displayed upon it the
5 license plate ~~or plates~~ issued for such motor vehicle or trailer
6 in the place of residence of such owner, may operate or permit the
7 operation or tow or permit the towing of such motor vehicle or
8 trailer within the state without registering such motor vehicle or
9 trailer or paying any fees to this state.

10 (3) Any nonresident owner gainfully employed or present
11 in this state, operating a motor vehicle or towing a trailer in
12 this state, shall register such motor vehicle or trailer in the
13 same manner as a Nebraska resident, after thirty days of continuous
14 employment or presence in this state, unless the state of his
15 or her legal residence grants immunity from such requirements
16 to residents of this state operating a motor vehicle or towing
17 a trailer in that state. Any nonresident owner who operates a
18 motor vehicle or tows a trailer in this state for thirty or more
19 continuous days shall register such motor vehicle or trailer in the
20 same manner as a Nebraska resident unless the state of his or her
21 legal residence grants immunity from such requirements to residents
22 of this state operating a motor vehicle or towing a trailer in that
23 state.

24 Sec. 7. Section 60-373, Revised Statutes Cumulative
25 Supplement, 2008, is amended to read:

1 60-373 (1) Each licensed motor vehicle dealer or trailer
2 dealer as defined in section 60-1401.02 doing business in this
3 state, in lieu of registering each motor vehicle or trailer which
4 such dealer owns of a type otherwise required to be registered, or
5 any full-time or part-time employee or agent of such dealer may,
6 if the motor vehicle or trailer displays a dealer number plates
7 plate:

8 (a) Operate or tow the motor vehicle or trailer upon
9 the highways of this state solely for purposes of transporting,
10 testing, demonstrating, or use in the ordinary course and conduct
11 of business as a motor vehicle or trailer dealer. Such use may
12 include personal or private use by the dealer and personal or
13 private use by any bona fide employee licensed pursuant to Chapter
14 60, article 14, if the employee can be verified by payroll records
15 maintained at the dealership as ordinarily working more than thirty
16 hours per week or fifteen hundred hours per year at the dealership;

17 (b) Operate or tow the motor vehicle or trailer upon the
18 highways of this state for transporting industrial equipment held
19 by the licensee for purposes of demonstration, sale, rental, or
20 delivery; or

21 (c) Sell the motor vehicle or trailer.

22 (2) Each licensed manufacturer as defined in section
23 60-1401.02 which actually manufactures or assembles motor vehicles
24 or trailers within this state, in lieu of registering each motor
25 vehicle or trailer which such manufacturer owns of a type otherwise

1 required to be registered, or any employee of such manufacturer may
2 operate or tow the motor vehicle or trailer upon the highways
3 of this state solely for purposes of transporting, testing,
4 demonstrating to prospective customers, or use in the ordinary
5 course and conduct of business as a motor vehicle or trailer
6 manufacturer, upon the condition that any such motor vehicle
7 or trailer display thereon, in the manner prescribed in section
8 60-3,100, a dealer number plates plate as provided for in section
9 60-3,114.

10 (3) In no event shall such plates be used on motor
11 vehicles or trailers hauling other than automotive or trailer
12 equipment, complete motor vehicles, or trailers which are inventory
13 of such licensed dealer or manufacturer unless there is issued by
14 the department a special permit specifying the hauling of other
15 products. This section shall not be construed to allow a dealer
16 to operate a motor vehicle or trailer with a dealer number plates
17 plate for the delivery of parts inventory. A dealer may use such
18 motor vehicle or trailer to pick up parts to be used for the motor
19 vehicle or trailer inventory of the dealer.

20 Sec. 8. Section 60-376, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-376 Subject to all the provisions of law relating to
23 motor vehicles and trailers not inconsistent with this section, any
24 motor vehicle dealer or trailer dealer who is regularly engaged
25 within this state in the business of buying and selling motor

1 vehicles and trailers, who regularly maintains within this state an
2 established place of business, and who desires to effect delivery
3 of any motor vehicle or trailer bought or sold by him or her from
4 the point where purchased or sold to points within or outside this
5 state may, solely for the purpose of such delivery by himself or
6 herself, his or her agent, or a bona fide purchaser, operate such
7 motor vehicle or tow such trailer on the highways of this state
8 without charge or registration of such motor vehicle or trailer.
9 A sticker shall be displayed on the ~~front and rear windows~~ rear
10 window or the rear side ~~windows~~ window of such motor vehicle,
11 except a motorcycle, and displayed on the ~~front and rear~~ of each
12 such trailer. On the sticker shall be plainly printed in black
13 letters the words In Transit. One In Transit sticker shall be
14 displayed on a motorcycle, which sticker may be one-half the size
15 required for other motor vehicles. Such ~~stickers~~ sticker shall
16 include a registration number, which registration number shall be
17 different for each sticker ~~or pair of stickers~~ issued, and the
18 contents of such sticker and the numbering system shall be as
19 prescribed by the department. Each dealer issuing such ~~stickers~~ a
20 sticker shall keep a record of the registration number of each
21 sticker ~~or pair of stickers~~ on the invoice of such sale. Such
22 sticker shall allow such owner to operate the motor vehicle or
23 tow such trailer for a period of thirty days in order to effect
24 proper registration of the new or used motor vehicle or trailer.
25 When any person, firm, or corporation has had a motor vehicle or

1 trailer previously registered and a license plates plate assigned
2 to such person, firm, or corporation, such owner may operate the
3 motor vehicle or tow such trailer for a period of thirty days in
4 order to effect transfer of ~~plates~~ the plate to the new or used
5 motor vehicle or trailer. Upon demand of proper authorities, there
6 shall be presented by the person in charge of such motor vehicle
7 or trailer, for examination, a duly executed bill of sale therefor
8 or other satisfactory evidence of the right of possession by such
9 person of such motor vehicle or trailer.

10 Sec. 9. Section 60-378, Revised Statutes Cumulative
11 Supplement, 2008, is amended to read:

12 60-378 (1) Any transporter doing business in this state
13 may, in lieu of registering each motor vehicle or trailer which
14 such transporter is transporting, upon payment of a fee of ten
15 dollars, apply to the department for a transporter's certificate
16 and one transporter license plate. Additional pairs of transporter
17 certificates and transporter license plates may be procured for a
18 fee of ten dollars each. ~~Transporter license plates~~ A transporter
19 license plate shall be displayed (a) upon the motor vehicle
20 or trailer being transported or (b) upon a properly registered
21 truck or truck-tractor which is a work or service vehicle in the
22 process of towing a trailer which is itself being delivered by the
23 transporter, and such registered truck or truck-tractor shall also
24 display a transporter plate upon the front thereof. The applicant
25 for a transporter plate shall keep for six years a record of each

1 motor vehicle or trailer transported by him or her under this
2 section, and such record shall be available to the department for
3 inspection. Each applicant shall file with the department proof of
4 his or her status as a bona fide transporter.

5 (2) Transporter license plates may be the same size as
6 license plates issued for motorcycles, shall bear thereon a mark
7 to distinguish them as transporter plates, and shall be serially
8 numbered so as to distinguish them from each other. Such a license
9 plates plate may only be displayed upon the front of a driven
10 motor vehicle of a lawful combination or upon the front of a motor
11 vehicle driven singly or upon the rear of a trailer being towed.

12 Sec. 10. Section 60-380, Revised Statutes Cumulative
13 Supplement, 2008, is amended to read:

14 60-380 Any motor vehicle or trailer owned by a dealer
15 licensed under Chapter 60, article 14, and bearing other than a
16 dealer license plates plate shall be conclusively presumed not to
17 be a part of the dealer's inventory and not for demonstration or
18 sale and therefor not eligible for any exemption from taxes or fees
19 applicable to a motor vehicles or trailers vehicle or trailer with
20 a dealer license plates- plate.

21 Sec. 11. Section 60-383, Revised Statutes Cumulative
22 Supplement, 2008, is amended to read:

23 60-383 (1) A film vehicle, subject to approval by
24 the Department of Economic Development, may be registered upon
25 application to the Department of Motor Vehicles. The Department of

1 Motor Vehicles may provide a distinctive license plates plate for
2 such film ~~vehicles~~ vehicle. Such license ~~plates~~ plate shall be the
3 same size and of the same basic design as a regular license plates
4 plate issued pursuant to section 60-3,100.

5 (2) The registration for film vehicles shall be issued
6 only with the payment of the fees required by section 60-3,102 and
7 this section. The registration shall be valid for six months from
8 the date of issuance and may be renewed for a period not to exceed
9 three months upon payment of the renewal fee specified in this
10 section.

11 (3) The six-month registration fee for a film vehicle
12 shall be fifty dollars for a film vehicle with a gross vehicle
13 weight of sixteen thousand pounds or less and one hundred fifty
14 dollars for a film vehicle with a gross vehicle weight of more
15 than sixteen thousand pounds. The three-month renewal fee shall
16 be twenty-five dollars. All fees collected by the Department of
17 Motor Vehicles under this section shall be remitted to the State
18 Treasurer for credit to the Highway Trust Fund.

19 Sec. 12. Section 60-392, Revised Statutes Cumulative
20 Supplement, 2008, is amended to read:

21 60-392 (1) Registration may be renewed annually in a
22 manner designated by the department and upon payment of the
23 same fee as provided for the original registration. On making
24 an application for renewal, the registration certificate for
25 the preceding registration period or renewal notice or other

1 evidence designated by the department shall be presented with the
2 application. A person may renew his or her annual registration up
3 to thirty days prior to the date of expiration.

4 (2) The certificate of registration and license ~~plates~~
5 plate issued by the department shall be valid during the
6 registration period for which they are issued, and when a
7 validation ~~decals~~ decal issued pursuant to section 60-3,101 ~~have~~
8 has been affixed to the license ~~plates, plate, the plates~~ plate
9 shall also be valid for the registration period designated by such
10 validation ~~decals, decal.~~ If a person renews his or her annual
11 registration up to thirty days prior to the date of expiration, the
12 registration shall be valid for such time period as well.

13 (3) The registration period for motor vehicles and
14 trailers required to be registered as provided in section 60-362
15 shall expire on the first day of the month one year from the month
16 of issuance, and renewal shall become due on such day and shall
17 become delinquent on the first day of the following month.

18 (4) Subsections (1) through (3) of this section do
19 not apply to dealer's license plates, repossession plates, and
20 transporter plates as provided in sections 60-373, 60-375, 60-378,
21 and 60-379, which plates shall be issued for a calendar year.

22 (5) The registration period for apportioned vehicles as
23 provided in section 60-3,198 shall expire December 31 of each year
24 and shall become delinquent February 1 of the following year.

25 Sec. 13. Section 60-395, Revised Statutes Cumulative

1 Supplement, 2008, is amended to read:

2 60-395 (1) Except as otherwise provided in subsection (2)
3 of this section and sections 60-3,121, 60-3,122.02, and 60-3,128,
4 the registration shall expire and the registered owner or lessee
5 may, by returning the registration certificate, the license ~~plates,~~
6 plate, and, when appropriate, the validation ~~decals~~ decal and by
7 either making application on a form prescribed by the department
8 to the county treasurer or designated county official of the
9 occurrence of an event described in subdivisions (a) through (e) of
10 this subsection or, in the case of a change in situs, displaying to
11 the county treasurer or designated county official the registration
12 certificate of such other state as evidence of a change in situs,
13 receive a refund of that part of the unused fees and taxes on
14 motor vehicles or trailers based on the number of unexpired months
15 remaining in the registration period from the date of any of the
16 following events:

17 (a) Upon transfer of ownership of any motor vehicle or
18 trailer;

19 (b) In case of loss of possession because of fire, theft,
20 dismantlement, or junking;

21 (c) When a salvage branded certificate of title is
22 issued;

23 (d) Whenever a type or class of motor vehicle or trailer
24 previously registered is subsequently declared by legislative act
25 or court decision to be illegal or ineligible to be operated or

1 towed on the public roads and no longer subject to registration
2 fees, the motor vehicle tax imposed in section 60-3,185, and the
3 motor vehicle fee imposed in section 60-3,190;

4 (e) Upon a trade-in or surrender of a motor vehicle under
5 a lease; or

6 (f) In case of a change in the situs of a motor vehicle
7 or trailer to a location outside of this state.

8 (2) If the date of the event falls within the same
9 calendar month in which the motor vehicle or trailer is acquired,
10 no refund shall be allowed for such month.

11 (3) If the transferor or lessee acquires another motor
12 vehicle at the time of the transfer, trade-in, or surrender, the
13 transferor or lessee shall have the credit provided for in this
14 section applied toward payment of the motor vehicle fees and taxes
15 then owing. Otherwise, the transferor or lessee shall file a claim
16 for refund with the county treasurer or designated county official
17 upon an application form prescribed by the department.

18 (4) The registered owner or lessee shall make a claim for
19 refund or credit of the fees and taxes for the unexpired months
20 in the registration period within sixty days after the date of the
21 event or shall be deemed to have forfeited his or her right to such
22 refund or credit.

23 (5) For purposes of this section, the date of the event
24 shall be: (a) In the case of a transfer or loss, the date of
25 the transfer or loss; (b) in the case of a change in the situs,

1 the date of registration in another state; (c) in the case of
2 a trade-in or surrender under a lease, the date of trade-in or
3 surrender; (d) in the case of a legislative act, the effective date
4 of the act; and (e) in the case of a court decision, the date the
5 decision is rendered.

6 (6) Application for registration or for reassignment of
7 a license plates plate and, when appropriate, a validation decals
8 decal to another motor vehicle or trailer shall be made within
9 thirty days of the date of purchase.

10 (7) The county treasurer or designated county official
11 shall refund the motor vehicle fee and registration fee from
12 the fees which have not been transferred to the State Treasurer.
13 The county treasurer shall make payment to the claimant from the
14 undistributed motor vehicle taxes of the taxing unit where the
15 tax money was originally distributed. No refund of less than two
16 dollars shall be paid.

17 Sec. 14. Section 60-396, Revised Statutes Cumulative
18 Supplement, 2008, is amended to read:

19 60-396 Whenever the registered owner files an application
20 with the county treasurer or designated county official showing
21 that a motor vehicle or trailer is disabled and has been
22 removed from service, the registered owner may, by returning
23 the registration certificate, the license ~~plates,~~ plate, and, when
24 appropriate, the validation ~~decals~~ decal or, in the case of the
25 unavailability of such registration certificate, license plate, or

1 ~~validation decal, or certificates, license plates, or validation~~
2 ~~decals,~~ then by making an affidavit to the county treasurer or
3 designated county official of such disablement and removal from
4 service, receive a credit for a portion of the registration fee
5 from the fee deposited with the State Treasurer at the time of
6 registration based upon the number of unexpired months remaining
7 in the registration year except as otherwise provided in sections
8 60-3,121, 60-3,122.02, and 60-3,128. The owner shall also receive
9 a credit for the unused portion of the motor vehicle tax and
10 fee based upon the number of unexpired months remaining in the
11 registration year. When the owner registers a replacement motor
12 vehicle or trailer at the time of filing such affidavit, the
13 credit may be immediately applied against the registration fee and
14 the motor vehicle tax and fee for the replacement motor vehicle
15 or trailer. When no such replacement motor vehicle or trailer is
16 so registered, the county treasurer or designated county official
17 shall forward the application and affidavit, if any, to the State
18 Treasurer who shall determine the amount, if any, of the allowable
19 credit for the registration fee and issue a credit certificate to
20 the owner. For the motor vehicle tax and fee, the county treasurer
21 or designated county official shall determine the amount, if any,
22 of the allowable credit and issue a credit certificate to the
23 owner. When such motor vehicle or trailer is removed from service
24 within the same month in which it was registered, no credits shall
25 be allowed for such month. The credits may be applied against

1 taxes and fees for new or replacement motor vehicles or trailers
2 incurred within one year after cancellation of registration of the
3 motor vehicle or trailer for which the credits were allowed. When
4 any such motor vehicle or trailer is reregistered within the same
5 registration year in which its registration has been canceled, the
6 taxes and fees shall be that portion of the registration fee and
7 the motor vehicle tax and fee for the remainder of the registration
8 year.

9 Sec. 15. Section 60-397, Revised Statutes Cumulative
10 Supplement, 2008, is amended to read:

11 60-397 If a motor vehicle or trailer has a salvage
12 branded certificate of title issued as a result of an insurance
13 company acquiring the motor vehicle or trailer through a total loss
14 settlement, the prior owner of the motor vehicle or trailer who
15 is a party to the settlement may receive a refund or credit of
16 unused fees and taxes by (1) filing an application with the county
17 treasurer or designated county official within sixty days after
18 the date of the settlement stating that title to the motor vehicle
19 or trailer was transferred as a result of the settlement and (2)
20 returning the registration certificate, the license ~~plates,~~ plate,
21 and, when appropriate, the validation ~~decals~~ decal or, in the
22 case of the unavailability of the registration certificate, license
23 ~~plates,~~ plate, or validation ~~decals,~~ decal, filing an affidavit
24 with the county treasurer or designated county official regarding
25 the transfer of title due to the settlement and the unavailability

1 of the certificate, license ~~plates, plate, or validation decals.~~
2 decal. The owner may receive a refund or credit of the registration
3 fees and motor vehicle taxes and fees for the unexpired months
4 remaining in the registration year determined based on the
5 date when the motor vehicle or trailer was damaged and became
6 unavailable for service. When the owner registers a replacement
7 motor vehicle or trailer at the time of filing such affidavit, the
8 credit may be immediately applied against the registration fee and
9 the motor vehicle tax and fee for the replacement motor vehicle
10 or trailer. When no such replacement motor vehicle or trailer is
11 so registered, the county treasurer or designated county official
12 shall refund the unused registration fees. If the motor vehicle or
13 trailer was damaged and became unavailable for service during the
14 same month in which it was registered, no refund or credit shall
15 be allowed for such month. When any such motor vehicle or trailer
16 is reregistered within the same registration year in which its
17 registration has been canceled, the taxes and fees shall be that
18 portion of the registration fee and the motor vehicle tax and fee
19 for the remainder of the registration year.

20 Sec. 16. Section 60-398, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-398 A nonresident may, if he or she applies within
23 ninety days from his or her original registration date and
24 surrenders the registration certificate and license ~~plates which~~
25 ~~were~~ plate assigned to him or her, receive from the county

1 treasurer or designated county official, or the department if
2 registration was pursuant to section 60-3,198, a refund in the
3 amount of fifty percent of the original license fee, fifty percent
4 of the motor vehicle tax imposed in section 60-3,185, and fifty
5 percent of the motor vehicle fee imposed in section 60-3,190,
6 except that no refunds shall be made on any license surrendered
7 after the ninth month of the registration period for which the
8 motor vehicle or trailer was registered.

9 Sec. 17. Section 60-399, Revised Statutes Cumulative
10 Supplement, 2008, is amended to read:

11 60-399 (1) Except as otherwise specifically provided, no
12 person shall operate or park or cause to be operated or parked a
13 motor vehicle or tow or park or cause to be towed or parked a
14 trailer on the highways unless such motor vehicle or trailer has
15 displayed the proper ~~number of plates~~ license plate as required in
16 the Motor Vehicle Registration Act.

17 In each registration period in which a new license plates
18 are plate is not issued, a previously issued license plates plate
19 shall have affixed thereto the validation ~~decal~~ decal issued
20 pursuant to section 60-3,101. In all cases such license ~~plates~~
21 plate shall be securely fastened in an upright position to the
22 motor vehicle or trailer so as to prevent such ~~plates~~ plate from
23 swinging and at a minimum distance of twelve inches from the
24 ground to the bottom of the license plate. No person shall attach
25 to or display on such motor vehicle or trailer any (a) license

1 plate or registration certificate other than as assigned to it
2 for the current registration period, (b) fictitious or altered
3 license ~~plates~~ plate or registration certificate, (c) license
4 ~~plates~~ plate or registration certificate that has been canceled
5 by the department, or (d) license ~~plates~~ plate lacking current
6 validation decals.

7 (2) All letters, numbers, printing, writing, and other
8 identification marks upon such ~~plates~~ plate and ~~certificate~~
9 validation decal shall be kept clear and distinct and free from
10 grease, dust, or other blurring matter, so that they shall be
11 plainly visible at all times during daylight and under artificial
12 light in the nighttime.

13 Sec. 18. Section 60-3,100, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 60-3,100 (1) The department shall issue to every
16 person whose motor vehicle or trailer is registered one fully
17 reflectorized license ~~plates~~ plate upon which shall be displayed
18 (a) the registration number consisting of letters and numerals
19 assigned to such motor vehicle or trailer in figures not less
20 than two and one-half inches nor more than three inches in height
21 and (b) also the word Nebraska suitably lettered so as to be
22 attractive. ~~Two license plates shall be issued for every motor~~
23 ~~vehicle, except that one plate shall be issued for dealers,~~
24 ~~motorcycles, truck-tractors, trailers, buses, and appertionable~~
25 ~~vehicles.~~ The license ~~plates~~ plate shall be of a color designated

1 by the director. The color of the ~~plates~~ plate shall be changed
2 each time the license ~~plates~~ are plate is changed. Each time the
3 license ~~plates~~ are plate is changed, the director shall secure
4 competitive bids for materials pursuant to sections 81-145 to
5 81-162. Motorcycle and trailer license plate letters and numerals
6 may be one-half the size of those required in this section.

7 (2) ~~When two license plates are issued, one shall be~~
8 ~~prominently displayed at all times on the front and one on the rear~~
9 ~~of the registered motor vehicle or trailer. When only one plate~~
10 ~~is issued, it~~ The license plate shall be prominently displayed
11 on the rear of the registered motor vehicle or trailer, except
12 ~~- When only one plate is issued for motor vehicles registered~~
13 pursuant to section 60-3,198 and truck-tractors, on which it shall
14 be prominently displayed on the front of the apportionable vehicle.

15 Sec. 19. Section 60-3,101, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 60-3,101 Except for permanent license plates issued
18 pursuant to section 60-3,203, license plates shall be issued
19 every six years beginning with the license plates issued in the
20 year 2005. Except for plates issued pursuant to such section, in
21 the years in which plates are not issued, in lieu of issuing
22 such license plates, the department shall furnish to every person
23 whose motor vehicle or trailer is registered ~~one or two validation~~
24 ~~decals, as the case may be, which validation decals shall bear a~~
25 validation decal bearing the year for which it is issued and be so

1 constructed as to permit ~~them~~ it to be permanently affixed to the
 2 ~~plates.~~ plate.

3 Sec. 20. Section 60-3,102, Revised Statutes Cumulative
 4 Supplement, 2008, is amended to read:

5 60-3,102 Whenever a new license ~~plates,~~ plate, including
 6 a duplicate or replacement license ~~plates,~~ are plate, is issued
 7 to any person, a fee ~~per plate~~ fee shall be charged in addition
 8 to all other required fees. The plate fee shall be determined by
 9 the department and shall only cover the cost of the license plate
 10 and validation ~~decals~~ decal but shall not exceed three dollars and
 11 fifty cents. All fees collected pursuant to this section shall be
 12 remitted to the State Treasurer for credit to the Highway Trust
 13 Fund.

14 Sec. 21. Section 60-3,105, Revised Statutes Cumulative
 15 Supplement, 2008, is amended to read:

16 60-3,105 (1) The department may provide a distinctive
 17 license plate for all motor vehicles owned or operated by
 18 the state, counties, municipalities, or school districts. Motor
 19 vehicles owned or operated by the state, counties, municipalities,
 20 or school districts shall display ~~such a distinctive license~~ plates
 21 plate when such license ~~plates~~ are plate is issued or shall display
 22 an undercover license ~~plates~~ plate when such license ~~plates~~ are
 23 plate is issued under section 60-3,135.

24 (2) Any motor vehicle owned or leased and used by any
 25 city or village of this state, any rural fire protection district,

1 the Civil Air Patrol, any public school district, any county, the
 2 state, the United States Government, any entity formed pursuant
 3 to the Interlocal Cooperation Act, the Integrated Solid Waste
 4 Management Act, or the Joint Public Agency Act, or any municipal
 5 public body or authority used in operating a public passenger
 6 transportation system, and exempt from a distinct marking as
 7 provided in section 81-1021, may carry a license plates plate of
 8 the same design and size as ~~are~~ provided in subsection (1) of this
 9 section or an undercover license ~~plates~~ plate issued under section
 10 60-3,135.

11 Sec. 22. Section 60-3,106, Revised Statutes Cumulative
 12 Supplement, 2008, is amended to read:

13 60-3,106 (1) The department may provide a distinctive
 14 license plate for all ~~trailers~~ each trailer owned or operated
 15 by the state, counties, municipalities, or school districts.
 16 ~~Trailers~~ Each trailer owned or operated by the state, counties,
 17 municipalities, or school districts shall display such distinctive
 18 license ~~plates~~ plate when such license ~~plates~~ plate is issued
 19 or shall display an undercover license ~~plates~~ plate when such
 20 license ~~plates~~ are plate is issued under section 60-3,135.

21 (2) Any trailer owned or leased and used by any city
 22 or village of this state, any rural fire protection district,
 23 the Civil Air Patrol, any public school district, any county, the
 24 state, the United States Government, any entity formed pursuant
 25 to the Interlocal Cooperation Act, the Integrated Solid Waste

1 Management Act, or the Joint Public Agency Act, or any municipal
 2 public body or authority used in operating a public passenger
 3 transportation system, and exempt from a distinct marking as
 4 provided in section 81-1021, may carry a license plates plate of
 5 the same design and size as ~~are~~ provided in subsection (1) of this
 6 section or an undercover license ~~plates~~ plate issued under section
 7 60-3,135.

8 Sec. 23. Section 60-3,107, Revised Statutes Cumulative
 9 Supplement, 2008, is amended to read:

10 60-3,107 The department may provide a distinctive license
 11 ~~plates~~ plate issued for use on a motor ~~vehicles~~ vehicle which ~~are~~
 12 is tax exempt pursuant to subdivision (6) of section 60-3,185.
 13 ~~License plates~~ A license plate on such a motor ~~vehicles~~ vehicle
 14 shall display, in addition to the license number, the words tax
 15 exempt.

16 Sec. 24. Section 60-3,108, Revised Statutes Cumulative
 17 Supplement, 2008, is amended to read:

18 60-3,108 The department may provide a distinctive license
 19 ~~plates~~ plate issued for use on ~~trailers~~ a trailer which is tax
 20 exempt pursuant to subdivision (6) of section 60-3,185. ~~License~~
 21 ~~plates~~ A license plate on such ~~trailers~~ a trailer shall display, in
 22 addition to the license number, the ~~word exempt which shall appear~~
 23 ~~at the bottom of the license plates.~~ words tax exempt.

24 Sec. 25. Section 60-3,109, Revised Statutes Cumulative
 25 Supplement, 2008, is amended to read:

1 60-3,109 (1) Any owner of well-boring apparatus and
2 well-servicing equipment may make application to the county
3 treasurer or designated county official for a license plates-
4 plate.

5 (2) ~~Well-boring~~ A well-boring apparatus and
6 well-servicing equipment license ~~plates~~ plate shall display
7 thereon, in addition to the license number, the words special
8 equipment.

9 Sec. 26. Section 60-3,113, Revised Statutes Cumulative
10 Supplement, 2008, is amended to read:

11 60-3,113 (1) The department shall, without the payment of
12 any fee except the taxes and fees required by sections 60-3,100,
13 60-3,102, 60-3,185, and 60-3,190, issue a license plates plate for
14 one motor vehicle not used for hire and a license plate for one
15 motorcycle not used for hire to:

16 (a) Any permanently handicapped or disabled person as
17 defined in section 18-1738 or his or her parent, legal guardian,
18 foster parent, or agent upon application and proof of a permanent
19 handicap or disability; or

20 (b) A trust which owns the motor vehicle or motorcycle if
21 a designated beneficiary of the trust qualifies under subdivision
22 (a) of this subsection.

23 Beginning January 1, 2005, an application and proof of
24 disability in the form and with the information required by section
25 18-1738 shall be filed before a license plates are plate is issued

1 or reissued.

2 (2) The license plate ~~or plates~~ shall carry the
3 internationally accepted wheelchair symbol, which symbol is a
4 representation of a person seated in a wheelchair surrounded by a
5 border six units wide by seven units high, and such other letters
6 or numbers as the director prescribes. Such license plate ~~or plates~~
7 shall be used by such person in lieu of the usual license plate,
8 ~~or plates.~~

9 (3) The department shall compile and maintain a registry
10 of the names, addresses, and license numbers of all persons who
11 obtain a special license plate pursuant to this section and
12 all persons who obtain a handicapped or disabled parking permit as
13 described in section 18-1739.

14 Sec. 27. Section 60-3,114, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 60-3,114 (1) Any licensed dealer or manufacturer may,
17 upon payment of a fee of thirty dollars, make an application, on
18 a form approved by the Nebraska Motor Vehicle Industry Licensing
19 Board, to the county treasurer or designated county official of
20 the county in which his or her place of business is located for
21 a certificate and one dealer license plate for the type of motor
22 vehicle or trailer the dealer has been authorized by the Nebraska
23 Motor Vehicle Industry Licensing Board to sell and demonstrate.
24 One additional dealer license plate may be procured for the type
25 of motor vehicle or trailer the dealer has sold during the last

1 previous period of October 1 through September 30 for each twenty
2 motor vehicles or trailers sold at retail during such period or one
3 additional dealer license plate for each thirty motor vehicles or
4 trailers sold at wholesale during such period, but not to exceed
5 a total of five additional dealer license plates in the case of
6 motor vehicles or trailers sold at wholesale, or, in the case of
7 a manufacturer, for each ten motor vehicles or trailers actually
8 manufactured or assembled within the state within the last previous
9 period of October 1 through September 30 for a fee of fifteen
10 dollars each.

11 (2) ~~Dealer~~ a dealer or manufacturer license ~~plates~~ plate
12 shall display, in addition to the registration number, the letters
13 DLR.

14 Sec. 28. Section 60-3,119, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 60-3,119 (1) Application for a personalized message
17 license ~~plates~~ plate shall be made to the department. The
18 department shall make available through each county treasurer or
19 designated county official forms to be used for such applications.

20 (2) Each initial application shall be accompanied by a
21 fee of thirty dollars. The fees shall be remitted to the State
22 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

23 (3) An application for renewal of a personalized message
24 license plate previously approved and issued shall be accompanied
25 by a fee of thirty dollars. County treasurers or designated county

1 officials collecting fees pursuant to this subsection shall remit
2 them to the State Treasurer for credit to the Department of Motor
3 Vehicles Cash Fund.

4 Sec. 29. Section 60-3,120, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 60-3,120 When the department approves an application for
7 a personalized message license plates, plate, it shall notify
8 the applicant and deliver the license ~~plates~~ plate to the county
9 treasurer or designated county official of the county in which the
10 motor vehicle or cabin trailer is to be registered. The county
11 treasurer or designated county official shall deliver such ~~plates~~
12 plate to the applicant, in lieu of a regular license plates, plate,
13 when the applicant complies with the other provisions of law for
14 registration of the motor vehicle or cabin trailer.

15 Sec. 30. Section 60-3,121, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 60-3,121 (1) The owner of a motor vehicle or cabin
18 trailer bearing a personalized message license plates plate may
19 make application to the county treasurer or designated county
20 official to have such license ~~plates~~ plate transferred to a motor
21 vehicle or cabin trailer other than the motor vehicle or cabin
22 trailer for which such license ~~plates~~ were plate was originally
23 purchased if such motor vehicle or cabin trailer is owned by the
24 owner of the license ~~plates, plate.~~

25 (2) The owner may have the unused portion of the message

1 plate fee credited to the other motor vehicle or cabin trailer
2 which will bear the license plate at the rate of eight and
3 one-third percent per month for each full month left in the
4 registration period.

5 (3) Application for such transfer shall be accompanied by
6 a fee of three dollars. The fees shall be remitted to the State
7 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

8 Sec. 31. Section 60-3,122, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 60-3,122 (1) Any person may, in addition to the
11 application required by section 60-385, apply to the department for
12 a license plates plate designed by the department to indicate that
13 he or she is a survivor of the Japanese attack on Pearl Harbor if
14 he or she:

15 (a) Was a member of the United States Armed Forces on
16 December 7, 1941;

17 (b) Was on station on December 7, 1941, during the hours
18 of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island
19 of Oahu, or offshore at a distance not to exceed three miles;

20 (c) Was discharged or otherwise separated with a
21 characterization of honorable from the United States Armed Forces;
22 and

23 (d) Holds a current membership in a Nebraska Chapter of
24 the Pearl Harbor Survivors Association.

25 (2) The license ~~plates~~ plate shall be issued upon the

1 applicant paying the regular license fee and an additional fee of
2 five dollars and furnishing proof satisfactory to the department
3 that the applicant fulfills the requirements provided by subsection
4 (1) of this section. The additional fee shall be remitted to the
5 State Treasurer for credit to the Highway Trust Fund. Only one
6 motor vehicle, trailer, semitrailer, or cabin trailer owned by the
7 applicant shall be so licensed at any one time. Motor vehicles
8 and trailers registered under section 60-3,198 shall not be so
9 licensed.

10 (3) If the license ~~plates~~ plate issued pursuant to this
11 section ~~are~~ is lost, stolen, or mutilated, the recipient of the
12 ~~plates~~ plate shall be issued a replacement license ~~plates~~ plate
13 upon request and without charge.

14 Sec. 32. Section 60-3,122.02, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 60-3,122.02 (1) A person may apply to the department for
17 a Gold Star Family ~~plates~~ plate in lieu of a regular license ~~plates~~
18 plate on an application prescribed and provided by the department
19 for any motor vehicle or cabin trailer, except for a commercial
20 truck. An applicant receiving a Gold Star Family plate for a farm
21 truck with a gross weight of over sixteen tons shall affix the
22 appropriate tonnage decal to the plate. The department shall make
23 forms available for such applications through the county treasurers
24 or designated county officials. The license ~~plates~~ plate shall be
25 issued upon payment of the license fee described in subsection (2)

1 of this section and furnishing proof satisfactory to the department
2 that the applicant is a surviving spouse, whether remarried or not,
3 or an ancestor, including a stepparent, a descendant, including
4 a stepchild, a foster parent or a person in loco parentis, or
5 a sibling of a person who died while in good standing on active
6 duty in the military service of the United States. Only one motor
7 vehicle or trailer owned by the applicant shall be so licensed at
8 any one time.

9 (2)(a) Each application for initial issuance of a
10 consecutively numbered Gold Star Family ~~plates~~ plate shall be
11 accompanied by a fee of fifteen dollars. An application for
12 renewal of such ~~plates~~ plate shall be accompanied by a fee of
13 fifteen dollars. County treasurers or designated county officials
14 collecting fees for renewals pursuant to this subdivision shall
15 remit them to the State Treasurer. The State Treasurer shall
16 credit five dollars of the fee for initial issuance and renewal
17 of such plates to the Department of Motor Vehicles Cash Fund and
18 ten dollars of the fee to the Nebraska Veteran Cemetery System
19 Operation Fund.

20 (b) Each application for initial issuance of a
21 personalized message Gold Star Family ~~plates~~ plate shall be
22 accompanied by a fee of forty dollars. An application for
23 renewal of such ~~plates~~ plate shall be accompanied by a fee of
24 forty dollars. County treasurers or designated county officials
25 collecting fees for renewals pursuant to this subdivision shall

1 remit them to the State Treasurer. The State Treasurer shall credit
2 thirty dollars of the fee for initial issuance and renewal of
3 such plates to the Department of Motor Vehicles Cash Fund and
4 ten dollars of the fee to the Nebraska Veteran Cemetery System
5 Operation Fund.

6 (3) When the department receives an application for a
7 Gold Star Family ~~plates~~, plate, the department shall deliver the
8 ~~plates~~ plate to the county treasurer or designated county official
9 of the county in which the motor vehicle or cabin trailer is
10 registered. The county treasurer or designated county official
11 shall issue the Gold Star Family ~~plates~~ plate in lieu of a regular
12 license ~~plates~~ plate when the applicant complies with the other
13 provisions of the Motor Vehicle Registration Act for registration
14 of the motor vehicle or cabin trailer. If a Gold Star Family ~~plates~~
15 ~~are~~ plate is lost, stolen, or mutilated, the licensee shall be
16 issued a replacement license ~~plates~~ plate upon request and without
17 charge.

18 (4) The owner of a motor vehicle or cabin trailer bearing
19 a Gold Star Family ~~plates~~ plate may apply to the county treasurer
20 or designated county official to have such ~~plates~~ plate transferred
21 to a motor vehicle other than the vehicle for which such ~~plates~~
22 ~~were~~ plate was originally purchased if such vehicle is owned by the
23 owner of the ~~plates~~. plate. The owner may have the unused portion
24 of the fee for the ~~plates~~ plate credited to the other vehicle
25 which will bear the ~~plates~~ plate at the rate of eight and one-third

1 percent per month for each full month left in the registration
2 period. Application for such transfer shall be accompanied by a fee
3 of three dollars. Fees collected pursuant to this subsection shall
4 be remitted to the State Treasurer for credit to the Department of
5 Motor Vehicles Cash Fund.

6 (5) If the cost of manufacturing Gold Star Family plates
7 at any time exceeds the amount charged for license plates pursuant
8 to section 60-3,102, any money to be credited to the Nebraska
9 Veteran Cemetery System Operation Fund shall instead be credited
10 first to the Highway Trust Fund in an amount equal to the
11 difference between the manufacturing costs of Gold Star Family
12 plates and the amount charged pursuant to section 60-3,102 with
13 respect to such plates and the remainder shall be credited to the
14 Nebraska Veteran Cemetery System Operation Fund.

15 Sec. 33. Section 60-3,123, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 60-3,123 (1) Any person who was captured and incarcerated
18 by an enemy of the United States during a period of conflict with
19 such enemy and who was discharged or otherwise separated with a
20 characterization of honorable from or is currently serving in the
21 United States Armed Forces may, in addition to the application
22 required in section 60-385, apply to the department for a license
23 plates plate designed to indicate that he or she is a former
24 prisoner of war.

25 (2) The license plates plate shall be issued upon the

1 applicant paying the regular license fee and an additional fee of
2 five dollars and furnishing proof satisfactory to the department
3 that the applicant was formerly a prisoner of war. The additional
4 fee shall be remitted to the State Treasurer for credit to the
5 Highway Trust Fund. Only one motor vehicle, trailer, semitrailer,
6 or cabin trailer owned by an applicant shall be so licensed at
7 any one time. Motor vehicles and trailers registered under section
8 60-3,198 shall not be so licensed.

9 (3) If the license ~~plates~~ plate issued under this section
10 ~~are~~ is lost, stolen, or mutilated, the recipient of the license
11 ~~plates~~ plate shall be issued a replacement license ~~plates~~ plate
12 upon request and without charge.

13 Sec. 34. Section 60-3,124, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 60-3,124 (1) Any person who is a veteran of the United
16 States Armed Forces, who was discharged or otherwise separated
17 with a characterization of honorable or general (under honorable
18 conditions), and who is classified by the United States Department
19 of Veterans Affairs as one hundred percent service-connected
20 disabled may, in addition to the application required in section
21 60-385, apply to the Department of Motor Vehicles for a license
22 ~~plates~~ plate designed by the department to indicate that the
23 applicant is a disabled veteran. The inscription on the license
24 ~~plates~~ plate shall be D.A.V. immediately below the license plate
25 number to indicate that the holder of the license ~~plates~~ plate is

1 a disabled veteran.

2 (2) The ~~plates~~ plate shall be issued upon the applicant
3 paying the regular license fee and an additional fee of five
4 dollars and furnishing proof satisfactory to the department that
5 the applicant is a disabled veteran. The additional fee shall
6 be remitted to the State Treasurer for credit to the Highway
7 Trust Fund. Only one motor vehicle, trailer, semitrailer, or cabin
8 trailer owned by the applicant shall be so licensed at any one
9 time. Motor vehicles and trailers registered under section 60-3,198
10 shall not be so licensed.

11 (3) If the license ~~plates~~ plate issued under this section
12 ~~are~~ is lost, stolen, or mutilated, the recipient of the ~~plates~~
13 plate shall be issued a replacement license ~~plates~~ plate as
14 provided in section 60-3,157.

15 Sec. 35. Section 60-3,125, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 60-3,125 (1) Any person may, in addition to the
18 application required by section 60-385, apply to the department for
19 a license ~~plates~~ plate designed by the department to indicate that
20 the applicant has received from the federal government an award
21 of a Purple Heart. The inscription of the ~~plates~~ plate shall be
22 designed so as to include a facsimile of the award and beneath any
23 numerical designation upon the ~~plates~~ plate pursuant to section
24 60-370 the words Purple Heart separately on one line and the words
25 Combat Wounded on the line below.

1 (2) The license ~~plates~~ plate shall be issued upon payment
2 of the regular license fee and an additional fee of five dollars
3 and furnishing proof satisfactory to the department that the
4 applicant was awarded the Purple Heart. The additional fee shall
5 be remitted to the State Treasurer for credit to the Highway Trust
6 Fund. Any number of motor vehicles, trailers, semitrailers, or
7 cabin trailers owned by the applicant may be so licensed at any one
8 time. Motor vehicles and trailers registered under section 60-3,198
9 shall not be so licensed.

10 (3) If a license ~~plates~~ plate issued pursuant to this
11 section ~~are~~ is lost, stolen, or mutilated, the recipient of the
12 ~~plates~~ plate shall be issued a replacement license ~~plates~~ plate
13 upon request and without charge.

14 Sec. 36. Section 60-3,126, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 60-3,126 (1) Any person who holds an unrevoked and
17 unexpired amateur radio station license issued by the Federal
18 Communications Commission and is the owner of a motor vehicle,
19 trailer, semitrailer, or cabin trailer, except for motor vehicles
20 and trailers registered under section 60-3,198, may, in addition to
21 the application required by section 60-385, apply to the department
22 for a license ~~plates~~ plate upon which shall be inscribed the
23 official amateur radio call letters of such applicant.

24 (2) Such license ~~plates~~ plate shall be issued, in lieu of
25 the usual numbers and letters, to such an applicant upon payment

1 of the regular license fee and the payment of an additional fee
2 of five dollars and furnishing proof that the applicant holds
3 such an unrevoked and unexpired amateur radio station license. The
4 additional fee shall be remitted to the State Treasurer for credit
5 to the Highway Trust Fund. Only one such motor vehicle or trailer
6 owned by an applicant shall be so registered at any one time.

7 (3) An applicant applying for renewal of an amateur radio
8 station license ~~plates~~ plate shall again furnish proof that he or
9 she holds an unrevoked and unexpired amateur radio station license
10 issued by the Federal Communications Commission.

11 (4) The department shall prescribe the size and design
12 of the license ~~plates~~ plate and furnish such ~~plates~~ plate to the
13 ~~persons~~ person applying for and entitled to the same upon the
14 payment of the required fee.

15 Sec. 37. Section 60-3,128, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 60-3,128 (1) A person may apply to the department for
18 a Nebraska Cornhusker Spirit Plates Plate in lieu of a regular
19 license ~~plates~~ plate on an application prescribed and provided
20 by the department for any motor vehicle, trailer, semitrailer, or
21 cabin trailer, except for motor vehicles or trailers registered
22 under section 60-3,198. An applicant receiving a spirit plate for
23 a farm truck with a gross weight of over sixteen tons or for a
24 commercial motor vehicle registered for a gross weight of five
25 tons or over shall affix the appropriate tonnage decal to the

1 spirit plate. The department shall make forms available for such
2 applications through the county treasurers or designated county
3 officials. Each application for initial issuance or renewal of
4 a spirit plates plate shall be accompanied by a fee of seventy
5 dollars. Fees collected pursuant to this subsection shall be
6 remitted to the State Treasurer. The State Treasurer shall credit
7 forty-three percent of the fees for initial issuance and renewal of
8 a spirit plates plate to the Department of Motor Vehicles Cash Fund
9 and fifty-seven percent of the fees to the Spirit Plate Proceeds
10 Fund.

11 (2) When the department receives an application for a
12 spirit plates, plate, it shall deliver the plates plate to the
13 county treasurer or designated county official of the county
14 in which the motor vehicle or cabin trailer is registered. The
15 county treasurer or designated county official shall issue the
16 spirit plates plate in lieu of a regular license plates plate
17 when the applicant complies with the other provisions of law for
18 registration of the motor vehicle or cabin trailer. If a spirit
19 plates are plate is lost, stolen, or mutilated, the licensee shall
20 be issued a replacement license plates plate pursuant to section
21 60-3,157.

22 (3)(a) The owner of a motor vehicle or cabin trailer
23 bearing a spirit plates plate may make application to the county
24 treasurer or designated county official to have such spirit plates
25 plate transferred to a motor vehicle or cabin trailer other than

1 the motor vehicle or cabin trailer for which such ~~plates were~~ plate
2 was originally purchased if such motor vehicle or cabin trailer is
3 owned by the owner of the spirit ~~plates-~~ plate.

4 (b) The owner may have the unused portion of the spirit
5 plate fee credited to the other motor vehicle or cabin trailer
6 which will bear the spirit plate at the rate of eight and one-third
7 percent per month for each full month left in the registration
8 period.

9 (c) Application for such transfer shall be accompanied by
10 a fee of three dollars. Fees collected pursuant to this subsection
11 shall be remitted to the State Treasurer for credit to the
12 Department of Motor Vehicles Cash Fund.

13 Sec. 38. Section 60-3,130, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 60-3,130 (1) Except as provided in section 60-3,134, a
16 person presenting a certificate of title issued pursuant to section
17 60-142.01 or 60-142.02 or a certificate of title indicating that
18 the vehicle is thirty or more years old may apply for a historical
19 license plate or plates or may use a license plate or plates of the
20 year of manufacture in lieu of a regular license plates plate as
21 provided in sections 60-3,130 to 60-3,134.

22 (2) Each collector applying for such a license plate or
23 plates, other than a nonprofit organization described in sections
24 21-608 and 21-609, must own and have registered one or more motor
25 vehicles with a regular license plates plate which he or she uses

1 for regular transportation.

2 (3) A motor vehicle or trailer manufactured, assembled
3 from a kit, or otherwise assembled as a reproduction or facsimile
4 of a historical vehicle shall not be eligible for a historical
5 license plate or plates unless it has been in existence for thirty
6 years or more. The age of the motor vehicle or trailer shall be
7 calculated from the year reflected on the certificate of title.

8 Sec. 39. Section 60-3,130.01, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 60-3,130.01 The application under section 60-3,130 shall
11 be made on a form prescribed and furnished by the department.
12 The form shall contain (1) a description of the vehicle owned and
13 sought to be registered, including the make, body type, model,
14 vehicle identification number, and year of manufacture, (2) a
15 description of any vehicle owned by the applicant and registered
16 by him or her with a regular license plates plate and used for
17 regular transportation, which description shall include make, body
18 type, model, vehicle identification number, year of manufacture,
19 and the Nebraska registration number assigned to the vehicle, and
20 (3) an affidavit sworn to by the vehicle owner that the historical
21 vehicle is being collected, preserved, restored, and maintained by
22 the applicant as a hobby and not for the general use of the vehicle
23 for the same purposes and under the same circumstances as other
24 motor vehicles of the same type.

25 Sec. 40. Section 60-3,130.02, Revised Statutes Cumulative

1 Supplement, 2008, is amended to read:

2 60-3,130.02 (1) An initial processing fee of ten dollars
3 shall be submitted with an application under section 60-3,130 to
4 defray the costs of issuing the first historical license plate to
5 each collector and to establish a distinct identification number
6 for each collector. A fee of fifty dollars for each vehicle so
7 registered shall also be submitted with the application.

8 (2) For use of a license plates plate as provided
9 in section 60-3,130.04, a fee of twenty-five dollars shall be
10 submitted with the application in addition to the fees specified in
11 subsection (1) of this section.

12 (3) The fees shall be remitted to the State Treasurer for
13 credit to the Highway Trust Fund.

14 Sec. 41. Section 60-3,130.05, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 60-3,130.05 ~~License~~ A license plate or plates issued or
17 used pursuant to section 60-3,130 or 60-3,130.04 shall be valid
18 while the vehicle is owned by the applicant without the payment of
19 any additional fee, tax, or license.

20 Sec. 42. Section 60-3,134, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-3,134 Any motor vehicle or trailer that qualifies as
23 ~~an~~ a historical vehicle which is used for the same general purposes
24 and under the same conditions as a motor vehicles or trailers
25 vehicle or trailer registered with a regular license plates plate

1 shall be ~~required to be~~ registered with a regular license plates,
2 plate, regardless of its age, and shall be subject to the payment
3 of the same taxes and fees required of a motor vehicles or trailers
4 vehicle or trailer registered with a regular license plates, plate.

5 Sec. 43. Section 60-3,135, Revised Statutes Cumulative
6 Supplement, 2008, is amended to read:

7 60-3,135 (1) (a) Undercover license plates may be issued
8 to state, county, city, or village law enforcement agencies and
9 shall be used only for legitimate criminal investigatory purposes.
10 Undercover license plates may also be issued to the Nebraska
11 State Patrol, the Game and Parks Commission, deputy state sheriffs
12 employed by the Nebraska Brand Committee and State Fire Marshal
13 for state law enforcement purposes, persons employed by the Tax
14 Commissioner for state revenue enforcement purposes, the Department
15 of Health and Human Services for the purposes of communicable
16 disease control, the prevention and control of those communicable
17 diseases which endanger the public health, the enforcement of drug
18 control laws, or other investigation purposes, the Department of
19 Agriculture for special investigative purposes, and the Insurance
20 Fraud Prevention Division of the Department of Insurance for
21 investigative purposes. ~~Undercover license plates~~ An undercover
22 license plate shall not be used on a personally owned vehicles
23 vehicle or for personal use of a government-owned vehicles.
24 vehicle.

25 (b) The director shall prescribe a form for agencies

1 to apply for the undercover license plate or plates. The form
2 shall include a space for the name and signature of the contact
3 person for the requesting agency, a statement that the undercover
4 license plate or plates are to be used only for legitimate criminal
5 investigatory purposes, and a statement that the undercover license
6 plate or plates are not to be used on personally owned vehicles or
7 for personal use of government-owned vehicles.

8 (2) The agency shall include the name and signature of
9 the contact person for the agency on the form and pay the fee
10 prescribed in section 60-3,102. If the undercover license plate
11 or plates will be used for the investigation of a specific event
12 rather than for ongoing investigations, the agency shall designate
13 on the form an estimate of the length of time the undercover
14 license plate or plates will be needed. The contact person in the
15 agency shall sign the form and verify the information contained in
16 the form.

17 (3) Upon receipt of a completed form, the director shall
18 determine whether the undercover license plate or plates will be
19 used by an approved agency for a legitimate purpose pursuant to
20 subsection (1) of this section. If the director determines that the
21 undercover license plate or plates will be used for such a purpose,
22 he or she may issue the undercover license plate or plates in the
23 form and under the conditions he or she determines to be necessary.
24 The decision of the director regarding issuance of the undercover
25 plate or license plates is final.

1 (4) The department shall keep records pertaining to
2 undercover license plates confidential, and such records shall not
3 be subject to public disclosure.

4 (5) The contact person shall return the undercover
5 license plate or plates to the department if:

6 (a) The undercover license plate or plates expire and are
7 not renewed;

8 (b) The purpose for which the undercover license plate or
9 plates were issued has been completed or terminated; or

10 (c) The director requests ~~their~~ the return of the
11 undercover license plate or plates.

12 (6) A state agency, board, or commission that uses motor
13 vehicles from the transportation services bureau of the Department
14 of Administrative Services shall notify the bureau immediately
15 after undercover license plate or plates have been assigned to the
16 motor vehicle and shall provide the equipment and license plate
17 or plates number and the undercover license plate or plates number
18 to the bureau. The transportation services bureau shall maintain
19 a list of state-owned motor vehicles which have been assigned an
20 undercover license plates- plate. The list shall be confidential
21 and not be subject to public disclosure.

22 (7) The contact person shall be held accountable to keep
23 proper records of the number of undercover plates possessed by
24 the agency, the particular license plate numbers for each motor
25 vehicle, and the person who is assigned to the motor vehicle.

1 This record shall be confidential and not be subject to public
2 disclosure.

3 Sec. 44. Section 60-3,145, Revised Statutes Cumulative
4 Supplement, 2008, is amended to read:

5 60-3,145 (1) The registration fee on local trucks shall
6 be based on the gross vehicle weight as provided in section
7 60-3,147, and local trucks shall be registered at a fee of thirty
8 percent of the commercial motor vehicle registration fee, except
9 that (a) no local truck shall be registered for a fee of less
10 than eighteen dollars, (b) the registration fee for each truck
11 with a factory-rated capacity of one ton or less shall be eighteen
12 dollars, and (c) commercial pickup trucks with a gross load of over
13 three tons shall be registered for the fee provided for commercial
14 motor vehicles.

15 (2) ~~Local~~ A local truck license ~~plates~~ plate shall
16 display, in addition to the registration number, the designation of
17 a local motor vehicles. ~~vehicle.~~

18 Sec. 45. Section 60-3,146, Revised Statutes Cumulative
19 Supplement, 2008, is amended to read:

20 60-3,146 (1) For the registration of farm trucks, except
21 for trucks or combinations of trucks or truck-tractors and
22 trailers having a gross vehicle weight exceeding sixteen tons,
23 the registration fee shall be eighteen dollars for up to and
24 including five tons gross vehicle weight, and in excess of five
25 tons the fee shall be twenty-two dollars.

1 (2) For a truck or a combination of a truck or
2 truck-tractor and trailer weighing in excess of sixteen tons
3 registered as a farm truck, except as provided in sections 60-3,111
4 and 60-3,151, the registration fee shall be based upon the gross
5 vehicle weight. The registration fee on such trucks weighing in
6 excess of sixteen tons shall be at the following rates: For a
7 gross weight in excess of sixteen tons up to and including twenty
8 tons, forty dollars plus five dollars for each ton of gross weight
9 over seventeen tons, and for gross weight exceeding twenty tons,
10 sixty-five dollars plus ten dollars for each ton of gross weight
11 over twenty tons.

12 (3) ~~Farm~~ A farm truck license ~~plates~~ plate shall display,
13 in addition to the registration number, the designation farm and
14 the words NOT FOR HIRE.

15 (4) Farm trucks with a gross weight of over sixteen tons
16 license plates shall also display the weight that such farm truck
17 is licensed for, using a decal on the license ~~plates~~ plate in
18 letters and numerals of such size and design as shall be determined
19 and issued by the department.

20 Sec. 46. Section 60-3,147, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-3,147 (1) The registration fee on commercial motor
23 vehicles, except those motor vehicles registered under section
24 60-3,198, shall be based upon the gross vehicle weight, not to
25 exceed the maximum authorized by section 60-6,294.

1 (2) The registration fee on commercial motor vehicles,
2 except for motor vehicles and trailers registered under section
3 60-3,198, shall be based on the gross vehicle weight on such
4 commercial motor vehicles plus the gross vehicle weight of any
5 trailer or combination with which it is operated, except that
6 for the purpose of determining the registration fee, the gross
7 vehicle weight of a commercial motor vehicle towing or hauling
8 a disabled or wrecked motor vehicle properly registered for use
9 on the highways shall be only the gross vehicle weight of the
10 towing commercial motor vehicle fully equipped and not including
11 the weight of the motor vehicle being towed or hauled.

12 (3) Except as provided in subsection (4) of this section,
13 the registration fee on such commercial motor vehicles shall be at
14 the following rates:

15 (a) For a gross vehicle weight of three tons or less,
16 eighteen dollars;

17 (b) For a gross vehicle weight exceeding three tons and
18 not exceeding four tons, twenty-five dollars;

19 (c) For a gross vehicle weight exceeding four tons and
20 not exceeding five tons, thirty-five dollars;

21 (d) For a gross vehicle weight exceeding five tons and
22 not exceeding six tons, sixty dollars;

23 (e) For a gross vehicle weight exceeding six tons but not
24 exceeding seven tons, eighty-five dollars;

25 (f) For a gross vehicle weight in excess of seven tons,

1 the fee shall be that for a commercial motor vehicle having a gross
2 vehicle weight of seven tons and, in addition thereto, twenty-five
3 dollars for each ton of gross vehicle weight over seven tons.

4 (4) (a) For fractional tons in excess of the twenty
5 percent or the tolerance of one thousand pounds, as provided in
6 section 60-6,300, the fee shall be computed on the basis of the
7 next higher bracket.

8 (b) The fees provided by this section shall be
9 reduced ten percent for motor vehicles used exclusively for the
10 transportation of agricultural products.

11 (c) Fees for commercial motor vehicles with a gross
12 vehicle weight in excess of thirty-six tons shall be increased by
13 twenty percent for all such commercial motor vehicles operated on
14 any highway not a part of the National System of Interstate and
15 Defense Highways.

16 (5) (a) Such fee may be paid one-half at the time of
17 registration and one-half on the first day of the seventh month of
18 the registration period when the license fee exceeds two hundred
19 ten dollars. When the second half is paid, the county treasurer or
20 designated county official shall furnish a registration certificate
21 and license ~~plates~~ plate issued by the department which shall be
22 displayed on such commercial motor vehicle in the manner provided
23 by law. In addition to the registration fee, the department
24 shall collect a sufficient fee to cover the cost of issuing the
25 certificate and license ~~plates.~~ plate.

1 (b) If such second half is not paid within thirty days
2 following the first day of the seventh month, the registration
3 of such commercial motor vehicle shall be canceled and the
4 registration certificate and license ~~plates~~ plate shall be returned
5 to the county treasurer or designated county official.

6 (c) Such fee shall be paid prior to any subsequent
7 registration or renewal of registration.

8 (6) ~~License plates~~ A license plate issued under this
9 section shall be the same size and of the same basic design as a
10 regular license ~~plates~~ plate issued under section 60-3,100.

11 (7) A license plate ~~or plates~~ issued to a commercial
12 motor vehicle with a gross weight of five tons or over shall
13 display, in addition to the registration number, the weight that
14 the commercial motor vehicle is licensed for, using a decal on the
15 license plate ~~or plates~~ of the commercial motor vehicle in letters
16 and numerals of such size and design as shall be determined and
17 issued by the department.

18 Sec. 47. Section 60-3,149, Revised Statutes Cumulative
19 Supplement, 2008, is amended to read:

20 60-3,149 (1) For the registration of trucks or
21 combinations of trucks, truck-tractors, or trailers which are not
22 for hire and engaged in soil and water conservation work and used
23 for the purpose of transporting pipe and equipment exclusively used
24 by such contractors for soil and water conservation construction,
25 the registration fee shall be one-half of the rate for similar

1 commercial motor vehicles registered under section 60-3,147, except
2 that no commercial motor vehicle or commercial trailer registered
3 under this section shall be registered for a fee of less than
4 eighteen dollars.

5 (2) ~~Such license plates~~ The license plate shall display,
6 in addition to the registration number, the letter A.

7 Sec. 48. Section 60-3,150, Revised Statutes Cumulative
8 Supplement, 2008, is amended to read:

9 60-3,150 For registration purposes, a truck-tractor and
10 semitrailer unit and a commercial trailer shall be considered as
11 separate units. The registration fee of the truck-tractor shall be
12 the fee provided for commercial motor vehicles. Each semitrailer
13 and each commercial trailer shall be registered upon the payment of
14 a fee of one dollar. The department shall provide an appropriate
15 license plate or, when appropriate, validation decal to identify
16 such semitrailers. If any truck or truck-tractor, operated under
17 the classification designated as local, farm, or A or with ~~plates~~
18 a license plate issued under section 60-3,113 is operated outside
19 of the limits of its respective classification, it shall thereupon
20 come under the classification of commercial motor vehicle.

21 Sec. 49. Section 60-3,151, Revised Statutes Cumulative
22 Supplement, 2008, is amended to read:

23 60-3,151 (1) For the registration of any commercial
24 trailer or semitrailer, the fee shall be one dollar.

25 (2) The fee for a utility ~~trailers~~ trailer shall be

1 one dollar for each one thousand pounds gross vehicle weight or
2 fraction thereof, up to and including nine thousand pounds. ~~Utility~~
3 ~~trailer license plates~~ A utility trailer license plate shall
4 display, in addition to the registration number, the letter X.
5 ~~Trailers~~ A trailer other than a farm trailers trailer of more than
6 nine thousand pounds must be registered as a commercial trailers-
7 trailer.

8 (3) The fee for a cabin trailers trailer having a gross
9 vehicle weight of one thousand pounds or less shall be nine dollars
10 and more than one thousand pounds, but less than two thousand
11 pounds, shall be twelve dollars. ~~Cabin trailers~~ A cabin trailer
12 having a gross vehicle weight of two thousand pounds or more shall
13 be registered for a fee of fifteen dollars.

14 (4) ~~Recreational vehicles~~ A recreational vehicle having
15 a gross vehicle weight of eight thousand pounds or less shall
16 be registered for a fee of eighteen dollars, those having a
17 gross vehicle weight of more than eight thousand pounds but
18 less than twelve thousand pounds shall be registered for thirty
19 dollars, and ~~these~~ a recreational vehicle having a gross vehicle
20 weight of twelve thousand pounds or over shall be registered for
21 forty-two dollars. When living quarters are added to a registered
22 truck, a recreational vehicle registration may be obtained without
23 surrender of the truck registration, in which event both the truck
24 license plate and recreational vehicle license ~~plates~~ plate shall
25 be displayed on the ~~vehicle.~~ ~~Recreational vehicle license plates~~

1 registered truck. A recreational vehicle license plate shall be the
2 same size and of the same basic design as a regular license plates
3 plate issued pursuant to section 60-3,100.

4 (5) ~~Farm trailers~~ A farm trailer shall be licensed for a
5 fee of one dollar, except that when a farm trailer is used with
6 a registered farm truck, such farm trailer may, at the option of
7 the owner, be registered as a separate unit for a fee of three
8 dollars per ton gross vehicle weight and, if so registered, shall
9 not be considered a truck and trailer combination for purposes
10 of sections 60-3,145 and 60-3,146. ~~Farm trailer license plates~~
11 A farm trailer license plate shall display, in addition to the
12 registration number, the letter X.

13 (6) ~~Fertilizer trailers~~ A fertilizer trailer shall be
14 registered for a fee of one dollar. ~~Fertilizer trailer license~~
15 ~~plates~~ A fertilizer trailer license plate shall display, in
16 addition to the registration number, the letter X.

17 (7) ~~Trailers~~ A trailer used to haul poles and cable
18 reels owned and operated exclusively by a public utility companies
19 company shall be licensed at a fee based on two dollars for each
20 one-thousand-pound load to be hauled or any fraction thereof, and
21 such load shall not exceed sixteen thousand pounds.

22 Sec. 50. Section 60-3,157, Revised Statutes Cumulative
23 Supplement, 2008, is amended to read:

24 60-3,157 If a license plate or registration certificate
25 is lost or mutilated or has become illegible, the person to whom

1 such license plate and registration certificate has been issued
2 shall immediately apply to the county treasurer or designated
3 county official for a duplicate registration certificate or for a
4 new license ~~plates,~~ plate, accompanying his or her application with
5 a fee of one dollar for a duplicate registration certificate and a
6 fee of two dollars and fifty cents for a duplicate or replacement
7 license plate.

8 Sec. 51. Section 60-3,167, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 60-3,167 (1) It shall be unlawful for any owner of a
11 motor vehicle or trailer which is being operated or towed with
12 an In Transit ~~stickers~~ sticker pursuant to section 60-376, which
13 is being operated or towed pursuant to section 60-365 or 60-369,
14 or which is required to be registered in this state and which
15 is operated or towed on a public highway of this state to allow
16 the operation or towing of the motor vehicle or trailer on a
17 public highway of this state without having a current and effective
18 automobile liability policy, evidence of insurance, or proof of
19 financial responsibility. The owner shall be presumed to know of
20 the operation or towing of his or her motor vehicle or trailer on
21 a highway of this state in violation of this section when the motor
22 vehicle or trailer is being operated or towed by a person other
23 than the owner. An owner of a motor vehicle or trailer who operates
24 or tows the motor vehicle or trailer or allows the operation or
25 towing of the motor vehicle or trailer in violation of this section

1 shall be guilty of a Class II misdemeanor and shall be advised
2 by the court that his or her motor vehicle operator's license,
3 motor vehicle certificate of registration, and license ~~plates~~ plate
4 will be suspended by the department until he or she complies with
5 sections 60-505.02 and 60-528. Upon conviction the owner shall
6 have his or her motor vehicle operator's license, motor vehicle
7 certificate of registration, and license ~~plates~~ plate suspended by
8 the department until he or she complies with sections 60-505.02 and
9 60-528. The owner shall also be required to comply with section
10 60-528 for a continuous period of three years after the violation.
11 This subsection shall not apply to motor vehicles or trailers
12 registered in another state.

13 (2) An owner who is unable to produce a current and
14 effective automobile liability policy, evidence of insurance, or
15 proof of financial responsibility upon the request of a law
16 enforcement officer shall be allowed ten days after the date of the
17 request to produce proof to the appropriate prosecutor or county
18 attorney that a current and effective automobile liability policy
19 or proof of financial responsibility was in existence for the motor
20 vehicle or trailer at the time of such request. Upon presentation
21 of such proof, the citation shall be dismissed by the prosecutor or
22 county attorney without cost to the owner and no prosecution for
23 the offense cited shall occur.

24 (3) The department shall, for any person convicted for
25 a violation of this section, reinstate such person's operator's

1 license, motor vehicle certificate of registration, and license
2 ~~plates~~ plate and rescind any order requiring such person to comply
3 with section 60-528 without cost to such person upon presentation
4 to the director that, at the time such person was cited for
5 a violation of this section, a current and effective automobile
6 liability policy or proof of financial responsibility was in
7 existence for the motor vehicle or trailer at the time the citation
8 was issued.

9 Sec. 52. Section 60-3,175, Revised Statutes Cumulative
10 Supplement, 2008, is amended to read:

11 60-3,175 It shall be unlawful to own or operate a
12 motor vehicle or trailer with a historical license ~~plates~~ plate
13 in violation of section 60-3,130, 60-3,131, or 60-3,134. Upon
14 conviction of a violation of any provision of such sections, a
15 person shall be guilty of a Class V misdemeanor.

16 Sec. 53. Section 60-3,183, Revised Statutes Cumulative
17 Supplement, 2008, is amended to read:

18 60-3,183 (1) The director may revoke, suspend, cancel, or
19 refuse to issue or renew a registration certificate under sections
20 60-3,198 to 60-3,203 upon receipt of notice under the federal
21 Performance and Registration Information Systems Management Program
22 that the ability of the applicant or registration certificate
23 holder to operate has been terminated or denied by a federal
24 agency.

25 (2) Any person who receives notice from the director of

1 action taken pursuant to subsection (1) of this section shall,
2 within three business days, return such registration certificate
3 and license ~~plates~~ plate to the department. If any person fails
4 to return the registration certificate and license plates to the
5 department, the department shall notify the Nebraska State Patrol
6 that any such person is in violation of this section.

7 Sec. 54. Section 60-3,205, Revised Statutes Cumulative
8 Supplement, 2008, is amended to read:

9 60-3,205 (1) (a) The director may suspend, revoke, cancel,
10 or refuse to issue or renew a registration certificate under the
11 International Registration Plan Act:

12 (i) If the applicant or certificate holder has had his or
13 her license issued under the International Fuel Tax Agreement Act
14 revoked or the director refused to issue or refused to renew such
15 license; or

16 (ii) If the applicant or certificate holder is in
17 violation of sections 75-348 to 75-358 or 75-392 to 75-399.

18 (b) Prior to taking action under this section, the
19 director shall notify and advise the applicant or certificate
20 holder of the proposed action and the reasons for such action in
21 writing, by registered or certified mail, to his or her last-known
22 business address as shown on the application for the certificate
23 or renewal. The notice shall also include an advisement of the
24 procedures in subdivision (c) of this subsection.

25 (c) The applicant or certificate holder may, within

1 thirty days after the date of the mailing of the notice,
2 petition the director for a hearing to contest the proposed
3 action. The hearing shall be commenced in accordance with the rules
4 and regulations adopted and promulgated by the department. If a
5 petition is filed, the director shall, within twenty days after
6 receipt of the petition, set a hearing date at which the applicant
7 or certificate holder may show cause why the proposed action should
8 not be taken. The director shall give the applicant or certificate
9 holder reasonable notice of the time and place of the hearing. If
10 the director's decision is adverse to the applicant or certificate
11 holder, the applicant or certificate holder may appeal the decision
12 in accordance with the Administrative Procedure Act.

13 (d) Except as provided in subsections (2) and (3) of this
14 section, the filing of the petition shall stay any action by the
15 director until a hearing is held and a final decision and order is
16 issued.

17 (e) Except as provided in subsections (2) and (3) of this
18 section, if no petition is filed at the expiration of thirty days
19 after the date on which the notification was mailed, the director
20 may take the proposed action described in the notice.

21 (f) If, in the judgment of the director, the applicant or
22 certificate holder has complied with or is no longer in violation
23 of the provisions for which the director took action under this
24 subsection, the director may reinstate the registration certificate
25 without delay.

1 (2) (a) The director may suspend, revoke, cancel, or
2 refuse to issue or renew a registration certificate under the
3 International Registration Plan Act or a license under the
4 International Fuel Tax Agreement Act if the applicant, licensee, or
5 certificate holder has issued to the department a check or draft
6 which has been returned because of insufficient funds, no funds, or
7 a stop-payment order. The director may take such action no sooner
8 than seven days after the written notice required in subdivision
9 (1) (b) of this section has been provided. Any petition to contest
10 such action filed pursuant to subdivision (1) (c) of this section
11 shall not stay such action of the director.

12 (b) If the director takes an action pursuant to
13 this subsection, the director shall reinstate the registration
14 certificate or license without delay upon the payment of certified
15 funds by the applicant, licensee, or certificate holder for
16 any fees due and reasonable administrative costs, not to exceed
17 twenty-five dollars, incurred in taking such action.

18 (c) The rules, regulations, and orders of the director
19 and the department that pertain to hearings commenced in accordance
20 with this section and that are in effect prior to March 17,
21 2006, shall remain in effect, unless changed or eliminated by the
22 director or the department, except for those portions involving a
23 stay upon the filing of a petition to contest any action taken
24 pursuant to this subsection, in which case this subsection shall
25 supersede those provisions.

1 (3) Any person who receives notice from the director
2 of action taken pursuant to subsection (1) or (2) of this
3 section shall, within three business days, return such registration
4 certificate and license ~~plates~~ plate to the department as provided
5 in this section. If any person fails to return the registration
6 certificate and license ~~plates~~ plate to the department, the
7 department shall notify the Nebraska State Patrol that any such
8 person is in violation of this section.

9 Sec. 55. Section 60-501, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 60-501 For purposes of the Motor Vehicle Safety
12 Responsibility Act, unless the context otherwise requires:

13 (1) Department means Department of Motor Vehicles;

14 (2) Judgment means any judgment which shall have become
15 final by the expiration of the time within which an appeal might
16 have been perfected without being appealed, or by final affirmation
17 on appeal, rendered by a court of competent jurisdiction of any
18 state or of the United States, (a) upon a cause of action arising
19 out of the ownership, maintenance, or use of any motor vehicle for
20 damages, including damages for care and loss of services, because
21 of bodily injury to or death of any person or for damages because
22 of injury to or destruction of property, including the loss of
23 use thereof, or (b) upon a cause of action on an agreement of
24 settlement for such damages;

25 (3) License means any license issued to any person under

1 the laws of this state pertaining to operation of a motor vehicle
2 within this state;

3 (4) Motor vehicle means any self-propelled vehicle which
4 is designed for use upon a highway, including trailers designed for
5 use with such vehicles, except (a) mopeds as defined in section
6 60-637, (b) traction engines, (c) road rollers, (d) farm tractors,
7 (e) tractor cranes, (f) power shovels, (g) well drillers, (h)
8 every vehicle which is propelled by electric power obtained from
9 overhead wires but not operated upon rails, (i) electric personal
10 assistive mobility devices as defined in section 60-618.02, and
11 (j) off-road designed vehicles, including, but not limited to, golf
12 carts, go-carts, riding lawnmowers, garden tractors, all-terrain
13 vehicles as defined in section 60-6,355, minibikes as defined in
14 section 60-636, and snowmobiles as defined in section 60-663;

15 (5) Nonresident means every person who is not a resident
16 of this state;

17 (6) Nonresident's operating privilege means the privilege
18 conferred upon a nonresident by the laws of this state pertaining
19 to the operation by him or her of a motor vehicle or the use of a
20 motor vehicle owned by him or her in this state;

21 (7) Operator means every person who is in actual physical
22 control of a motor vehicle;

23 (8) Owner means a person who holds the legal title of a
24 motor vehicle, or in the event (a) a motor vehicle is the subject
25 of an agreement for the conditional sale or lease thereof with the

1 right of purchase upon performance of the conditions stated in the
2 agreement and with an immediate right of possession vested in the
3 conditional vendee or lessee or (b) a mortgagor of a vehicle is
4 entitled to possession, then such conditional vendee or lessee or
5 mortgagor shall be deemed the owner for the purposes of the act;

6 (9) Person means every natural person, firm, partnership,
7 limited liability company, association, or corporation;

8 (10) Proof of financial responsibility means evidence
9 of ability to respond in damages for liability, on account of
10 accidents occurring subsequent to the effective date of such proof,
11 arising out of the ownership, maintenance, or use of a motor
12 vehicle, (a) in the amount of twenty-five thousand dollars because
13 of bodily injury to or death of one person in any one accident,
14 (b) subject to such limit for one person, in the amount of fifty
15 thousand dollars because of bodily injury to or death of two
16 or more persons in any one accident, and (c) in the amount of
17 twenty-five thousand dollars because of injury to or destruction of
18 property of others in any one accident;

19 (11) Registration means registration ~~certificate or~~
20 certificates and registration plates issued under the laws of this
21 state pertaining to the registration of motor vehicles;

22 (12) State means any state, territory, or possession of
23 the United States, the District of Columbia, or any province of the
24 Dominion of Canada; and

25 (13) The forfeiture of bail, not vacated, or of

1 collateral deposited to secure an appearance for trial shall be
2 regarded as equivalent to conviction of the offense charged.

3 Sec. 56. Section 60-653, Revised Statutes Cumulative
4 Supplement, 2008, is amended to read:

5 60-653 Registration shall mean the registration
6 ~~certificate or~~ certificates and license plates issued under the
7 Motor Vehicle Registration Act.

8 Sec. 57. Section 60-683, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 60-683 All peace officers are hereby specifically
11 directed and authorized and it shall be deemed and considered a
12 part of the official duties of each of such officers to enforce
13 the provisions of the Nebraska Rules of the Road, including the
14 specific enforcement of maximum speed limits, and any other law
15 regulating the operation of vehicles or the use of the highways.
16 To perform the official duties imposed by this section, the
17 Superintendent of Law Enforcement and Public Safety and all
18 officers of the Nebraska State Patrol shall have the powers stated
19 in section 81-2005. All other peace officers shall have the power:

20 (1) To make arrests upon view and without warrant for
21 any violation committed in their presence of any of the provisions
22 of the Motor Vehicle Operator's License Act or of any other law
23 regulating the operation of vehicles or the use of the highways, if
24 and when designated or called upon to do so as provided by law;

25 (2) To make arrests upon view and without warrant for any

1 violation committed in their presence of any provision of the laws
2 of this state relating to misdemeanors or felonies, if and when
3 designated or called upon to do so as provided by law;

4 (3) At all times to direct all traffic in conformity with
5 law or, in the event of a fire or other emergency or in order to
6 expedite traffic or insure safety, to direct traffic as conditions
7 may require;

8 (4) When in uniform, to require the driver of a vehicle
9 to stop and exhibit his or her operator's license and registration
10 certificate issued for the vehicle and submit to an inspection
11 of such vehicle and the license ~~plates~~ plate and registration
12 certificate for the vehicle and to require the driver of a motor
13 vehicle to present the vehicle within five days for correction
14 of any defects revealed by such motor vehicle inspection as may
15 lead the inspecting officer to reasonably believe that such motor
16 vehicle is being operated in violation of the statutes of Nebraska
17 or the rules and regulations of the Director of Motor Vehicles;

18 (5) To inspect any vehicle of a type required to be
19 registered according to law in any public garage or repair shop or
20 in any place where such a vehicle is held for sale or wrecking;

21 (6) To serve warrants relating to the enforcement of
22 the laws regulating the operation of vehicles or the use of the
23 highways; and

24 (7) To investigate traffic accidents for the purpose
25 of carrying on a study of traffic accidents and enforcing motor

1 vehicle and highway safety laws.

2 Sec. 58. Section 60-6,197.01, Revised Statutes Cumulative
3 Supplement, 2008, is amended to read:

4 60-6,197.01 (1) Upon conviction for a second or
5 subsequent violation of section 60-6,196 or 60-6,197, the court
6 shall impose either of the following restrictions:

7 (a) (i) The court shall order all motor vehicles owned by
8 the person so convicted immobilized at the owner's expense for a
9 period of time not less than five days and not more than eight
10 months and shall notify the Department of Motor Vehicles of the
11 period of immobilization. Any immobilized motor vehicle shall be
12 released to the holder of a bona fide lien on the motor vehicle
13 executed prior to such immobilization when possession of the motor
14 vehicle is requested as provided by law by such lienholder for
15 purposes of foreclosing and satisfying such lien. If a person tows
16 and stores a motor vehicle pursuant to this subdivision at the
17 direction of a peace officer or the court and has a lien upon such
18 motor vehicle while it is in his or her possession for reasonable
19 towing and storage charges, the person towing the vehicle has the
20 right to retain such motor vehicle until such lien is paid. For
21 purposes of this subdivision, immobilized or immobilization means
22 revocation or suspension, at the discretion of the court, of the
23 registration of such motor vehicle or motor vehicles, including the
24 license ~~plates~~, plate; and

25 (ii) (A) Any immobilized motor vehicle shall be released

1 by the court without any legal or physical restraints to any
2 registered owner who is not the registered owner convicted of a
3 second or subsequent violation of section 60-6,196 or 60-6,197
4 if an affidavit is submitted to the court by such registered
5 owner stating that the affiant is employed, that the motor vehicle
6 subject to immobilization is necessary to continue that employment,
7 that such employment is necessary for the well-being of the
8 affiant's dependent children or parents, that the affiant will not
9 authorize the use of the motor vehicle by any person known by the
10 affiant to have been convicted of a second or subsequent violation
11 of section 60-6,196 or 60-6,197, that affiant will immediately
12 report to a local law enforcement agency any unauthorized use of
13 the motor vehicle by any person known by the affiant to have been
14 convicted of a second or subsequent conviction of section 60-6,196
15 or 60-6,197, and that failure to release the motor vehicle would
16 cause undue hardship to the affiant.

17 (B) A registered owner who executes an affidavit pursuant
18 to subdivision (1)(a)(ii)(A) of this section which is acted upon
19 by the court and who fails to immediately report an unauthorized
20 use of the motor vehicle which is the subject of the affidavit is
21 guilty of a Class IV misdemeanor and may not file any additional
22 affidavits pursuant to subdivision (1)(a)(ii)(A) of this section.

23 (C) The department shall adopt and promulgate rules and
24 regulations to implement the provisions of subdivision (1)(a) of
25 this section; or

1 (b) As an alternative to subdivision (1)(a) of this
2 section, the court shall order the convicted person, in order to
3 operate a motor vehicle, to obtain an ignition interlock permit
4 and install an ignition interlock device on each of the motor
5 vehicles owned or operated by the convicted person if he or she
6 was sentenced to an operator's license revocation of at least one
7 year and has completed at least one year of such revocation. No
8 ignition interlock permit may be issued until sufficient evidence
9 is presented to the department that an ignition interlock device
10 is installed on each vehicle and that the applicant is eligible
11 for use of an ignition interlock device. The installation of an
12 ignition interlock device shall be for a period not less than
13 six months commencing upon the end of such year of the operator's
14 license revocation. Notwithstanding any other provision of law,
15 if the owner was convicted of a second or subsequent violation
16 of section 60-6,196 or 60-6,197, no ignition interlock device or
17 ignition interlock permit shall be ordered by any court or state
18 agency under any circumstances until at least one year of the
19 operator's license revocation shall have elapsed.

20 (2) In addition to the restrictions required by
21 subdivision (1)(b) of this section, the court may require a person
22 convicted of a second or subsequent violation of section 60-6,196
23 or 60-6,197 to use a continuous alcohol monitoring device and
24 abstain from alcohol use for a period of time not to exceed
25 the maximum term of license revocation ordered by the court. A

1 continuous alcohol monitoring device shall not be ordered for a
2 person convicted of a second or subsequent violation unless the
3 installation of an ignition interlock device is also required.

4 Sec. 59. Section 60-1306, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 60-1306 The carrier enforcement officers shall have the
7 power (1) of peace officers solely for the purpose of enforcing
8 the International Fuel Tax Agreement Act and the provisions of
9 law relating to the size, weight, and load and the Motor Vehicle
10 Registration Act pertaining to buses, motor trucks, truck-tractors,
11 semitrailers, trailers, and towed vehicles, (2) when in uniform,
12 to require the driver thereof to stop and exhibit his or her
13 operator's license and registration issued for the vehicle and
14 submit to an inspection of such vehicle, the license ~~plates~~, plate,
15 the registration thereon, and licenses and permits required under
16 the motor fuel laws, (3) to make arrests upon view and without
17 warrant for any violation committed in their presence of the
18 provisions of the Motor Vehicle Operator's License Act or of any
19 other law regulating the operation of vehicles or the use of the
20 highways while in the performance of their duties referred to in
21 subdivisions (1) and (2) of this section and of sections 60-1308,
22 60-1309, and 75-362 to 75-369.07, (4) to make arrests upon view and
23 without warrant for any violation committed in their presence which
24 is a misdemeanor or felony under the laws of this state while in
25 the performance of their duties referred to in subdivisions (1) and

1 (2) of this section and of sections 60-1308, 60-1309, and 75-362
2 to 75-369.07, and (5) to make arrests on warrant for any violation
3 which is a misdemeanor or felony under the laws of this state while
4 in the performance of their duties referred to in subdivisions
5 (1) and (2) of this section and of sections 60-1308, 60-1309, and
6 75-362 to 75-369.07.

7 Any funds used to arm carrier enforcement officers shall
8 be paid solely from the Carrier Enforcement Cash Fund. The
9 amount of funds shall be determined by the Superintendent of
10 Law Enforcement and Public Safety.

11 Sec. 60. Section 60-1901, Revised Statutes Cumulative
12 Supplement, 2008, is amended to read:

13 60-1901 (1) A motor vehicle is an abandoned vehicle:

14 (a) If left unattended, with no license ~~plates~~ plate or
15 valid In Transit ~~stickers~~ sticker issued pursuant to the Motor
16 Vehicle Registration Act affixed thereto, for more than six hours
17 on any public property;

18 (b) If left unattended for more than twenty-four hours on
19 any public property, except a portion thereof on which parking is
20 legally permitted;

21 (c) If left unattended for more than forty-eight hours,
22 after the parking of such vehicle has become illegal, if left
23 on a portion of any public property on which parking is legally
24 permitted;

25 (d) If left unattended for more than seven days on

1 private property if left initially without permission of the owner,
2 or after permission of the owner is terminated; or

3 (e) If left for more than thirty days in the custody of
4 a law enforcement agency after the agency has sent a letter to the
5 last-registered owner under section 60-1903.01.

6 (2) An all-terrain vehicle or minibike is an abandoned
7 vehicle:

8 (a) If left unattended for more than twenty-four hours on
9 any public property, except a portion thereof on which parking is
10 legally permitted;

11 (b) If left unattended for more than forty-eight hours,
12 after the parking of such vehicle has become illegal, if left
13 on a portion of any public property on which parking is legally
14 permitted;

15 (c) If left unattended for more than seven days on
16 private property if left initially without permission of the owner,
17 or after permission of the owner is terminated; or

18 (d) If left for more than thirty days in the custody of
19 a law enforcement agency after the agency has sent a letter to the
20 last-registered owner under section 60-1903.01.

21 (3) For purposes of this section:

22 (a) Public property means any public right-of-way,
23 street, highway, alley, or park or other state, county, or
24 municipally owned property; and

25 (b) Private property means any privately owned property

1 which is not included within the definition of public property.

2 (4) No motor vehicle subject to forfeiture under section
3 28-431 shall be an abandoned vehicle under this section.

4 Sec. 61. Section 60-1902, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 60-1902 If an abandoned vehicle, at the time of
7 abandonment, has no license ~~plates~~ plate of the current year or
8 valid In Transit ~~stickers~~ sticker issued pursuant to section 60-376
9 affixed and is of a wholesale value, taking into consideration
10 the condition of the vehicle, of two hundred fifty dollars or
11 less, title shall immediately vest in the local authority or state
12 agency having jurisdiction thereof as provided in section 60-1904.
13 Any certificate of title issued under this section to the local
14 authority or state agency shall be issued at no cost to such
15 authority or agency.

16 Sec. 62. Section 60-1903, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-1903 (1) Except for vehicles governed by section
19 60-1902, the local authority or state agency having custody
20 of an abandoned vehicle shall make an inquiry concerning the
21 last-registered owner of such vehicle as follows:

22 (a) Abandoned vehicle with a license ~~plates~~ plate
23 affixed, to the jurisdiction which issued such license ~~plates,~~
24 plate; or

25 (b) Abandoned vehicle with no license ~~plates~~ plate

1 affixed, to the Department of Motor Vehicles.

2 (2) The local authority or state agency shall notify the
3 last-registered owner, if any, that the vehicle in question has
4 been determined to be an abandoned vehicle and that, if unclaimed,
5 either (a) it will be sold or will be offered at public auction
6 after five days from the date such notice was mailed or (b) title
7 will vest in the local authority or state agency thirty days
8 after the date such notice was mailed. If the agency described
9 in subdivision (1)(a) or (b) of this section also notifies the
10 local authority or state agency that a lien or mortgage exists,
11 such notice shall also be sent to the lienholder or mortgagee. Any
12 person claiming such vehicle shall be required to pay the cost of
13 removal and storage of such vehicle.

14 (3) Title to an abandoned vehicle, if unclaimed, shall
15 vest in the local authority or state agency (a) five days after the
16 date the notice is mailed if the vehicle will be sold or offered at
17 public auction under subdivision (2)(a) of this section, (b) thirty
18 days after the date the notice is mailed if the local authority or
19 state agency will retain the vehicle, or (c) if the last-registered
20 owner cannot be ascertained, when notice of such fact is received.

21 (4) After title to the abandoned vehicle vests pursuant
22 to subsection (3) of this section, the local authority or state
23 agency may retain for use, sell, or auction the abandoned vehicle.
24 If the local authority or state agency has determined that the
25 vehicle should be retained for use, the local authority or state

1 agency shall, at the same time that the notice, if any, is mailed,
2 publish in a newspaper of general circulation in the jurisdiction
3 an announcement that the local authority or state agency intends
4 to retain the abandoned vehicle for its use and that title will
5 vest in the local authority or state agency thirty days after the
6 publication.

7 Sec. 63. Section 60-1908, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 60-1908 No person other than one authorized by the
10 appropriate local authority or state agency shall destroy, deface,
11 or remove any part of a vehicle which is left unattended on
12 a highway or other public place without a license plates plate
13 affixed or which is abandoned. Anyone violating this section shall
14 be guilty of a Class V misdemeanor.

15 Sec. 64. Section 66-1406.02, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 66-1406.02 (1) The director may suspend, revoke, cancel,
18 or refuse to issue or renew a license under the International Fuel
19 Tax Agreement Act:

20 (a) If the applicant's or licensee's registration
21 certificate issued pursuant to the International Registration Plan
22 Act has been suspended, revoked, or canceled or the director
23 refused to issue or renew such certificate;

24 (b) If the applicant or licensee is in violation of
25 sections 75-348 to 75-358 or 75-392 to 75-399;

1 (c) If the applicant's or licensee's security has been
2 canceled;

3 (d) If the applicant or licensee failed to provide
4 additional security as required;

5 (e) If the applicant or licensee failed to file any
6 report or return required by the motor fuel laws, filed an
7 incomplete report or return required by the motor fuel laws, did
8 not file any report or return required by the motor fuel laws
9 electronically, or did not file a report or return required by the
10 motor fuel laws on time;

11 (f) If the applicant or licensee failed to pay taxes
12 required by the motor fuel laws due within the time provided;

13 (g) If the applicant or licensee filed any false report,
14 return, statement, or affidavit, required by the motor fuel laws,
15 knowing it to be false;

16 (h) If the applicant or licensee would no longer be
17 eligible to obtain a license; or

18 (i) If the applicant or licensee committed any other
19 violation of the International Fuel Tax Agreement Act or the rules
20 and regulations adopted and promulgated under the act.

21 (2) Prior to taking any action pursuant to subsection
22 (1) of this section, the director shall notify and advise the
23 applicant or licensee of the proposed action and the reasons for
24 such action in writing, by registered or certified mail, to his
25 or her last-known business address as shown on the application

1 or license. The notice shall also include an advisement of the
2 procedures in subsection (3) of this section.

3 (3) The applicant or licensee may, within thirty days
4 after the mailing of the notice, petition the director in writing
5 for a hearing to contest the proposed action. The hearing shall be
6 commenced in accordance with the rules and regulations adopted and
7 promulgated by the Department of Motor Vehicles. If a petition is
8 filed, the director shall, within twenty days after receipt of the
9 petition, set a hearing date at which the applicant or licensee
10 may show cause why the proposed action should not be taken. The
11 director shall give the applicant or licensee reasonable notice of
12 the time and place of the hearing. If the director's decision is
13 adverse to the applicant or licensee, the applicant or licensee may
14 appeal the decision in accordance with the Administrative Procedure
15 Act.

16 (4) Except as provided in subsection (2) of section
17 60-3,205 and subsection (8) of this section, the filing of the
18 petition shall stay any action by the director until a hearing is
19 held and a final decision and order is issued.

20 (5) Except as provided in subsection (2) of section
21 60-3,205 and subsection (8) of this section, if no petition is
22 filed at the expiration of thirty days after the date on which the
23 notification was mailed, the director may take the proposed action
24 described in the notice.

25 (6) Except as provided in subsection (2) of section

1 60-3,205 and subsection (8) of this section, if, in the judgment of
2 the director, the applicant or licensee has complied with or is no
3 longer in violation of the provisions for which the director took
4 action under this section, the director may reinstate the license
5 without delay. An applicant for reinstatement, issuance, or renewal
6 of a license within three years after the date of suspension,
7 revocation, cancellation, or refusal to issue or renew shall submit
8 a fee of one hundred dollars to the director. The director shall
9 remit the fee to the State Treasurer for credit to the Highway Cash
10 Fund.

11 (7) Suspension of, revocation of, cancellation of, or
12 refusal to issue or renew a license by the director shall not
13 relieve any person from making or filing the reports or returns
14 required by the motor fuel laws in the manner or within the time
15 required.

16 (8) Any person who receives notice from the director of
17 action taken pursuant to subsection (1) of this section shall,
18 within three business days, return such registration certificate
19 and license ~~plates~~ plate issued pursuant to section 60-3,198 to
20 the department. If any person fails to return the registration
21 certificate and license ~~plates~~ plate to the department, the
22 department shall notify the Nebraska State Patrol that any such
23 person is in violation of this section.

24 Sec. 65. Section 81-2005, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 81-2005 On and after July 20, 2002, the Superintendent of
2 Law Enforcement and Public Safety and all officers of the Nebraska
3 State Patrol, except all carrier enforcement officers assigned to
4 the carrier enforcement division, shall have the power:

5 (1) Of peace officers for the purpose of enforcing
6 the Motor Vehicle Operator's License Act, the Motor Vehicle
7 Registration Act, the Nebraska Rules of the Road, and any other law
8 regulating the registration or operation of vehicles or the use of
9 the highways;

10 (2) To make arrests upon view and without warrant for
11 any violation committed in their presence of any of the provisions
12 of the Motor Vehicle Operator's License Act, the Motor Vehicle
13 Registration Act, the Nebraska Rules of the Road, or any other law
14 regulating the operation of vehicles or the use of the highways, if
15 and when designated or called upon to do so as provided by law;

16 (3) To make arrests upon view and without warrant for
17 any violation committed in their presence of any provision of the
18 laws of the state relating to misdemeanors or felonies, if and when
19 designated or called upon to do so as provided by law;

20 (4) At all times to direct all traffic in conformity with
21 law or, in the event of a fire or other emergency or in order to
22 expedite traffic or insure safety, to direct traffic as conditions
23 may require notwithstanding the provisions of law;

24 (5) When in uniform, to require the driver of a vehicle
25 to stop and exhibit his or her operator's license and registration

1 card issued for the vehicle and submit to an inspection of
2 such vehicle and the license plate or plates and registration
3 card thereon and to require the drivers of motor vehicles to
4 present such vehicles within five days for correction of any
5 defects revealed by such motor vehicle inspection as may lead the
6 inspecting officer to reasonably believe that such motor vehicle
7 is being operated in violation of the statutes of Nebraska or the
8 rules and regulations of the Director of Motor Vehicles;

9 (6) To inspect any vehicle of a type required to be
10 registered under the Motor Vehicle Registration Act in any public
11 garage or repair shop or in any place where such vehicles are held
12 for sale or wrecking;

13 (7) To serve warrants relating to the enforcement of
14 the laws regulating the operation of vehicles or the use of the
15 highways;

16 (8) To investigate traffic accidents for the purpose
17 of carrying on a study of traffic accidents and enforcing motor
18 vehicle and highway safety laws; and

19 (9) To operate weighing stations and portable scales and
20 to perform carrier enforcement powers and duties prescribed in
21 sections 60-1301 to 60-1309.

22 Carrier enforcement officers appointed to the carrier
23 enforcement division before July 20, 2002, shall have the powers
24 and duties prescribed in sections 60-1301 to 60-1309.

25 Sec. 66. This act becomes operative on January 1, 2010.

1 Sec. 67. Original sections 18-1736, 18-1737, 60-501,
2 60-1903, 60-1908, and 81-2005, Reissue Revised Statutes of
3 Nebraska, and sections 60-163, 60-180, 60-308, 60-366, 60-373,
4 60-376, 60-378, 60-380, 60-383, 60-392, 60-395, 60-396, 60-397,
5 60-398, 60-399, 60-3,100, 60-3,101, 60-3,102, 60-3,105, 60-3,106,
6 60-3,107, 60-3,108, 60-3,109, 60-3,113, 60-3,114, 60-3,119,
7 60-3,120, 60-3,121, 60-3,122, 60-3,122.02, 60-3,123, 60-3,124,
8 60-3,125, 60-3,126, 60-3,128, 60-3,130, 60-3,130.01, 60-3,130.02,
9 60-3,130.05, 60-3,134, 60-3,135, 60-3,145, 60-3,146, 60-3,147,
10 60-3,149, 60-3,150, 60-3,151, 60-3,157, 60-3,167, 60-3,175,
11 60-3,183, 60-3,205, 60-653, 60-683, 60-6,197.01, 60-1306, 60-1901,
12 60-1902, and 66-1406.02, Revised Statutes Cumulative Supplement,
13 2008, are repealed.